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SCOTTISH RECORD SOCIETY.

pt. 74

CALENDAR OF WRITS

PRESERVED AT

YESTER HOUSE

1166-1503

EDITED BY

CHARLES C. HARVEY.

EDINBURGH:

PRINTED FOR THE SOCIETY BY J. SKINNER & COMPANY, LTD.

1916.

1403890

ERRATA.

Delete on 6th line from foot of page 3 repitition of words from "illam" to "terram."

On page 4, 5th line from top, for "Ranulphe" read "Ranulpho."

Line 30 from top on page 5, for "(*sec*)" read "(*sic*)."

Line 9, page 6, for "honore" read "honere," and on 12th line for "permissa" read "premissa."

Line 12 from foot of page 7, for "susentacionem" read "sustentacionem."

Page 9, No. 15, for "30th July" read "12th November," and on 3rd line, for "MDCCL" read "MCCL."

In translation of No. 15, for "Moffat" read "Mowat."

In No. 16, page 10, on 13th line from end read "umquam" for "uniquam."

No. 20, insert "12th" as day of the month.

No. 24, line 19, for "quarumquam" read "quacunque."

No. 26, insert "18th May" for date.

Page 21, 14 lines from top, at end delete "un."

Page 26, on 6th line, for "patere" read "preter."

Page 27, for first word on page read "petatur tantum."

Page 30 19th line from top, read "alicui" for "Aliam."

Page 31, 4th line from top, for "publica" read "publici."

Page 32, No. 36, on 3rd and 11th line from foot, for "assuerit" read "asseruit."

Page 33, 17th line from top, for "quontum" read "quantum," and on 22nd line, for "Amonemus" read "amovemus."

Page 35, 7th line from foot, for "quosque" read "qousque."

Calendar of Writs Preserved at Yester House.

1. 1166–1171. Willelmus · Rex Scottorum · Omnibus probis · hominibus tocius terre sue · Clericis · laicis · Francis · et Anglis · Scottis · et Galweiensibus salutem · Sciant presentes et futuri · me concessisse · et hac carta mea confirmasse hugoni Giffard · et heredibus suis · in fewdo et hereditate · omnes terras et teneuras quas idem hugo habet ex donacione Regis Malcolmi · fratris mei · et Ade Comitisse · matris mee · et Herberti Camerarij · scilicet Jhestrith per Rectas diuisas suas · et illam partem de lafditune · quam Edolf filius Ginel tenuit · et terram more de hadingtun per diuisas per quas ei perambulata · et unum plenarium toftum in linlidqu · scilicet toftum quod toke tenuit · Et Berewaldestune per Rectas diuisas suas quam herbertus Camerarius cum filia sua ei dedit · Et quatuor libratas terre in pottum sicut Walterus de lindesi · et Engelramus clericus illas ei perambulauerunt · et Aldekathin per rectas diuisas suas · Volo itaque et precipio · ut idem hugo et heredes sui terras · et teneuras prenominatas hereditarie teneant et habeant · ita libere · et quiete et honorifice · sicut Carte Regis · Malcolmi · fratris mei · et Ade Comitisse matris mee et · Herberti · Camerarij · testantur · et confirmant · Testibus Nicolao Cancellario · Richardo de Morevilla constabulario Dauid Olifar · Willelmo de ŭesci · philippo de ŭaloniis Camerario · Willelmo de ŭeteri ponte · Bernardo filio brien Gileberto filio Richerij. Roberto de Costentin · Apud Dunelmum. (*H. and N.*)

Fragment of the Great Seal appended, in bad condition; white wax varnished? brown, equestrian side to front.

TRANSLATION.

William, King of Scots, to All good men of his whole land, clerics and laymen, French and English, Scots and Galwegians, Greeting. Be it known to those present and to come, that I have granted, and by this my charter confirmed to Hugh Giffard and his heirs in fee and heritage all the lands and holdings, which the said Hugo holds by grant from King Malcolm, my brother, and Ada the Countess, my mother, and Herbert the Chamberlain, namely, Jhestrith by its right marches, and that part of Lafditune, which Edolf son of Ginel held, and the land of the moor of Hadingtun by the marches, which were perambulated for him, and a full toft in Linlidqu, namely, the toft which Toke held, and Berewaldestune by its right marches, which Herbert the Chamberlain gave to him with his daughter, And four pounds of land in Pottum, as perambulated by Walter de Lindesi and Engelram the clerk, and Aldekathin by its right marches. I will therefore and charge that the said Hugh and his heirs do hold and have in heritage the above-named lands and holdings, as freely, quietly, and honourably as the Charters of King Malcolm, my brother, and Ada the Countess, my mother, and Herbert the Chamberlain do testify and confirm. Witnesses, Nicholas the Chancellor (*and others, as above*). At Durham. (*H.*)

2 and **3.** 1166–1182. Willelmus · [dei gracia] Rex Scottorum · Omnibus probis hominibus tocius terre sue clericis et laicis · salutem. Sciant presentes · et futuri · hugonem [Eggv] filium hugonis peticione sua coram

probis hominibus meis in curia mea reddidisse mihi Ghiestrith [Jhestrid] quam Gamel tenuerat · et eiusdem hugonis [Eggv] peticione me terram illam dedisse · et concessisse · et hac carta mea confirmasse hugoni Giffard per easdem diuisas per quas Gamel illam terram tenuerat · tenendum sibi · et heredibus suis · de me · et de heredibus meis in fevdo et hereditate · In bosco et plano · In pratis et pascuis · et aquis · et omnibus [aliis] iustis pertinencijs suis · libere · et quiete · et honorifice · faciendo inde mihi · et heredibus meis · quintam partem seruicij unius militis · Et ego hugonem [Eggv] filium hugonis et heredes suos · de me · et de heredibus meis · quietos clamaui · de · xxj [viginti et j] · solidis · et iiij [quatuor] · denarijs · quos ipsi annuatim de terra illa mihi · et heredibus meis · persoluere debebant · Testibus Comite · Waldeuo · Ricardo capellano · willelmo de lindesi · Willelmo de ueteri ponte · Willelmo de haia Patricio filio comitis · Gileberto de unframuilla · Willelmo de Mortemer [Mortuo mari] Wakelino de Mortemer [Mortuo mari] · Apud lanarc. (*H. and N.*)

This charter is in duplicate, and both copies have been sealed. No. 1 is written in the "Book Hand" of the time, and No. 2, from which the variations, in brackets, are given, is in the "Cursive Hand."

TRANSLATION.

William, King of Scots, to All worthy men of his whole land, clerics and laymen, Greeting. Be it known to those present and to come that Hugh Fitz Hugh on his own petition before my good men in my court resigned to me Ghiestrith, which Gamel had held, and that I upon the petition of the said Hugh have given and granted and by this my charter confirmed that land to Hugh Giffard by the same bounds as Gamel had held it: To be held to himself and his heirs of me and my heirs in fee and heritage, in wood and plain, in meadows and pastures, and waters, and all its just appurtenances, freely, quietly, and honourably: doing for it the fifth part of a knight's service to me and my heirs:

And I have quit claimed, for me and my heirs, Hugh Fitz Hugh and his heirs of 21 shillings and 4 pence which they are bound to pay yearly to me and my heirs for that land. Witnesses, Earl Waldeve (*and others, as above*). At Lanarc. (*H.*)

4. 1178–c. 1190. Dauid Comes huntenden frater Regis scottorum · Omnibus hominibus et amicis suis francis et anglis scotis et Galwalensibus clericis et laicis salutem · Sciant presentes et futuri me dedisse et concessisse et hac Carta mea Confirmasse hugoni Giffard fintre per suas Rectas diuisas · cum omnibus Natiuis eiusdem terre · in aumento alterius feodi sui quod ei antea dederam · Tenendam sibi et heredibus suis de me et heredibus meis in feodo et hereditate · libere et quiete plenarie et honorifice · in bosco et plano in pratis et pascuis in Moris et Caciis in aquis et stagnis et Molendinis · Cum socke et sacke et tol et tem et infangenthef cum fossa et furcis · et cum omnibus aliis Rectitudinibus et consuetudinibus ad eam iuste pertinentibus · Quare volo ut ipse hugo et heredes sui teneant et possideant hanc prenominatam terram fintre cum alio feodo suo quod de me tenet · ita libere et quiete plenarie et honorifice · sicut ille militum qui melius liberius quietius plenarius aut honorificentius feodum suum tenet et possidet · faciendo mihi et heredibus meis de hoc feodo et de alio feodo · quod ei antea dederam seruicium dimidii militis · Testibus Seiero de tenes constabulario meo · hugone burdet · Willelmo filio emme · Alano filio hugonis · Jordano Ridel · Willelmo de sancto michaele · Roberto clerico meo · (*H. and N.*)

First (non-armorial) equestrian seal of the Earl (chipped) appended by silk cords.

TRANSLATION.

David, Earl of Huntingdon, brother of the King of Scots, To all men and his friends, French and English, Scots and Galwegians, clerics and laymen, Greeting: Be it known to those present and to come that I have given and

granted, and by this my charter confirmed to Hugh Giffard Fintre by its right bounds, with all the naifs of that land, in augmentation of another feof of his which I gave him before: To be held by him and his heirs of me and my heirs in fee and heritage, freely and quietly, fully and honourably, in wood and plain, meadow and pasture, moor and chace, waters stanks and mills, with soc and sac, tol and them, and infangenthef, with pit and gallows, and with all other rights and customs justly belonging to it: Wherefore I will that the said Hugh and his heirs may hold and have the foresaid land of Fintre with his other feof, which he holds of me, as freely and quietly, fully and honourably as any other knight holds and has his feof: Rendering unto me and my heirs for this and the other feof, given to him before, half a knight's service: Witness. *etc.* (*H.*)

5. 1188–1199. Villelmus · dej gracia Rex Scottorum Omnibus probis Hominibus Tocius terre sue clericis et Laicis Salutem · Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Willelmo Giffard unum plenarium toftum In burgo meo de foreis · et unum plenarium toftum apud Inuerculan · et unum plenarium toftum apud Banef · et unum plenarium toftum apud Kintor · et unum plenarium toftum apud Inuertollin · et unum plenarium toftum apud kincardin · et unum plenarium toftum apud castellum de Alith · et unum plenarium toftum apud Clunin · Scilicet tofta illa de quibus vicecomites mei ipsum precepto meo saisierunt · Tenendum Sibi et heredibus suis de me et heredibus meis In feudo et hereditate Ita libere et quiete plenarie et honorifice sicut alii Barones mei tofta sua In illis et aliis burgis meis liberius quietius plenarius et honorificencius tenent · Testibus · Hugone Cancellario meo · Philippo de valoniis Camerario · Willelmo de haia · Johanne de hastings · Rogero de mortuomari · Vmfrido de Berkelai · Apud Alith secundo die marcij. (*H. and N.*)

TRANSLATION.

William, by the grace of God, King of Scots, to All good men of his whole land, clerics and laymen, Greeting: Be it known to those present and to come that I have given and granted and by this my charter confirmed to William Giffard a full toft in my burgh of Foreis; and a full toft at Inverculan; and a full toft at Banef; and a full toft at Kintor; and a full toft at Invertollin: and a full toft at Kincardin; and a full toft at the castle of Alith; and a full toft at Clunin, namely these tofts in which my sheriffs at my precept seized him: To be held by himself and his heirs of me and my heirs in fee and heritage as freely, quietly, fully, and honourably as my other Barons hold their tofts, in these and other burghs: Witnesses, *etc.* (*as above*): At Alith the second day of March.

Note—When this charter was first examined in 1910 a fragment of the Great Seal was found in the folds of the parchment, and other fragments lying beside it. After piecing these together and examining the tag it was found that they were parts of the seal formerly attached, and have been re-appended. Like No. 8, the seal is hung the opposite way from that of No. 1 with the enthroned effigy to the front. The obverse is pale red and the reverse green wax. (*H.*)

6. 1195–1199. Willelmus · dei gracia Rex Scottorum · Episcopis · Abbatibus · Comitibus · Baronibus · Justiciis · vice comitibus · Prepositis · Ministris · et Omnibus probis hominibus tocius terre sue clericis et laicis Salutem Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse · Willelmo Giffard filio Hugonis · Giffard Thelin per rectas diuisas suas et cum omnibus Justis pertinenciis suis · et Polgauethin per rectas diuisas suas per quas Ferthnauh terram illam tenuit et cum omnibus aliis ad predictam terram illam tenuit et cum omnibus aliis ad predictam terram juste pertinentibus · Tenendam sibi et heredibus suis de me et heredibus meis In feudo et hereditate in bosco et plano In terris et aquis In pratis et pascuis In Moris et maresiis · In piscariis et scalingis In stagnis et Molendinis et Omnibus aliis ad predictas terras Juste pertinentibus cum furca et fossa Cum socca et sacca cum tol et them · et In fanenthef Ita libere et Quiete Plenarie et

honorifice sicut alii Barones mei terras et feuda sua liberius quietius plenius et honorificencius de me tenent · faciendo de predictis terris seruicium unius Militis · Testibus Reginaldo Rosensi Episcopo · Comite Dunecano Justiciario · Roberto de Quinci · Philippo de valoniis Camerario · Willelmo Cumin · Johanne de Hastingis · Willelmo de haia · Ranulphe de Soulis · vmfrido de Berkeley · Rogero de Mortemer · Philippo de Lundin · Waltero Murdac · Rogero de la Kerlieil · Hugone clerico de Sigillo apud Munros primo die septembris. *See also Fraser's Book of Caerlaverock, where this charter is reproducea in facsimile and transcribed.* (*H.*)

TRANSLATION.

William, by the grace of God, King of Scots To the Bishops, Abbots, Earls, Barons, Justiciars, Sheriffs, Bailiffs, Ministers, and all good men of his whole land, clerics and laymen, Greeting: Be it known to those present and to come that I have given and granted, and by this my charter confirmed to William Giffard, son of Hugh Giffard, Thelin by its right bounds and with all its just pertinents; and Polgavethin by its right bounds by which Ferthnauh held that land, and with all others he held with that land, and all justly pertaining thereto: To be held by him and his heirs of me and my heirs in fee and heritage, in wood and plain, lands and waters, meadows and pastures, moors and marshes, fishings and sheilings, stanks and mills, and everything else justly pertaining thereto, with pit and gallows, soc and sac, tol and them and infangenthef, as freely and quietly, fully and honourably as my other Barons hold their lands and feofs of me: Rendering for the foresaid lands the service of a knight: Witnesses, *etc.* (*H.*)

7. 1198–1202. Omnibus Sancte matris Ecclesie filiis · Rogerus dei gracia Ecclesie Sancti Andree Humilis Minister · Salutem et Benedictionem · Nouerit uniuersitas uestra nos dedisse · et concessisse · et hac Carta nostra confirmasse · donationem illam · Quam Dauid de line fecit deo · et Ecclesie sancti Kentegerni de lohwerwet · de una acra terre · et de una particata iuxta aquam currentem sub pomerio eiusdem Ecclesie pro escambio illius terre · Quam Rex Dauid dedit prenominate Ecclesie · pro masagio suo · ubi domus sue site fuerunt · tenenda in puram · et perpetuam elemosinam cum communi pastura extra bladum · et pratum ita libere · et Quiete · plenarie · et honorifice · Sicut Carta predicti Dauid de line testatur · Hiis testibus Comite Dauid fratre Regis Willemi Scottorum · Patricio Comite de dunbar · Roberto de londoneis · filio Regis Scottorum · willelmo archidiacono de laodonie · Magistro Ranulfo officiali · Magistro Johanne de legr · Magistro willelmo de hales · Marchisio de Aubini · Waltero de Windelsoures · Andrea decano laodonie · Galfrido de Cranforde · Radulfo Costein · Johanne de londoneis · Ricardo de legr. (*H. and N.*)

TRANSLATION.

To all the sons of Holy Mother Church Roger, by the grace of God, humble Minister of the Kirk of S. Andrew Greeting and Blessing: Wit ye that we have given and granted and by this our charter confirmed that gift which David de Line made to God and the Kirk of S. Kentegern of Lohwerwet of an acre of land and of a particate of land near the burn below the orchard of the said Kirk in exchange for that land, which King David gave to the foresaid Kirk, to be his messuage where his houses were built: To be held in pure and perpetual alms with common pasturage without the cornfield and meadow as freely, quietly, fully, and honourably as the charter of the said David de Line testifies: Witnesses, *etc.* (*H.*)

8. 1202–1207. Willelmus · dei gracia Rex Scottorum · Episcopis · Abbatibus · Comitibus · Baronibus · Justiciis · Vice-comitibus · Prepositis · ministris et omnibus probis Hominibus Tocius terre sue · Clericis et laicis · Salutem · Sciant presentes et futuri · me dedisse et concessisse et Hac carta mea confirmasse · Willelmo filio Hugonis · Giffard et heredibus suis · Jhestrid

· per Rectas diuisas suas · in boscho et plano · in terris et aquis · in pratis et pascuis · in molendinis in (vi)is et semitis · et cum Omnibus ad predictam terram iuste pertinentibus —— —— um meum —— idem Willelmus · et heredes ipsius et Homines —— ad Jhestride —— habebunt sibi —— rorum et ad ignem eorum et pasturam —— sicut hugo (*pater*) eiusdem Willelmi eam tenuit tempore Ade Comitisse matris mee · et tempore meo · Et totam Lefditonam plenarie per rectas diuisas suas · illam scilicet · partem · quam Radulphus · de Boseuiela · tenuit · et illam partem · quam willelmus de Belencumber tenuit · Et terram illam (*scilicet?*) Ginam · per diuisas terre Ecclesie de Hadintune · et per diuisas supradicte Lefditiene · et per diuisas terre Godefridi · marescalli · quam accepit cum uxore sua et per diuisas terre monealium usque · ad viam que uenit de Berewico · et tendit ad pontem · Et illam Jhestrid · quam Gamell tenuit · per easdem rectas diuisas · per quas Gamell eam tenuit · et cum Omnibus iustis pertinentiis suis · Quam Jhestrid Eggu qui terram illam ad firmam tenuit · mihi quietam clamauit coram probis Hominibus meis in curia mea · Et preterea in burgo de Karel illud plenarium Toftum · quod Arnaldus Riglepeni primitus edificauit usque ad mare · cum edificiis Ricardi fratris · et Dauid · presbyteri · et (v) skil · de petnewem · et unum Toftum in Hadintune · Quare volo ut predictus Willelmus et heredes sui has predictas terras et tenuras teneant de me et heredibus meis in feudo et hereditate · per Rectas diuisas predictarum terrarum · et cum Omnibus ad predictas terras iuste pertinentibus · in boscho et plano · in terris et aquis · in pratis et pascuis · in moris et marresiis · in stagnis et molendinis · et cum Omnibus Natiuis earumdem terrarum ubicumque in tota terra mea extra dominia mea (inventi) fuerint cum furca et fossa · cum socca et sacca · cum Tol et Them · Infangenethef · Libere et Quiete · Plenarie et Honorifice · per seruicium unius militis Testibus Florentio · Electo Glasguensi · Cancellario meo · Eustacio de vescy · Roberto de Ros · Roberto de londoniis · filio meo · Philippo de valoniis camerario meo · Philippo de Mubray · Engeramo de Baillol · Henrico filio · Comitis Dauid · Alexandro · filio Tho (sec) Dauid marescallo Philippo de lundiniis Ricardo Reuol · Simone · fraser · Ade Hasteng · Apud Traueqer · vij die maij · (*H. and N.*)

Fragment of Seal appended ; pale red wax, enthroned effigy to front.

Translation.

William, by the grace of God, king of Scots To the Bishops, Abbots, Earls, Barons, Sheriffs, Bailiffs, Ministers, and all good men of his whole land, cleric and lay, Greeting : Be it known to those present and to come that I have given and granted and by this my charter confirmed to William Fitzhugh Giffard and his heirs Jhestrid by its right bounds in wood and plain, lands and waters, meadows and pastures, mills, roads and paths, and all justly pertaining to the foresaid land —— —— my —— the said William and his heirs and the men (dwelling ?) at Jhestrid —— —— shall have for him and them and for their fire and pasture —— —— as Hugh (father) of the said William held it in the days of my mother, Ada the Countess, and my time : And all Lefditona fully by its right bounds, namely that part which Ralph de Bosville held and that part which William de Belencumber held : And that land —— —— Gina by the bounds of the Kirkland of Hadintun, the bounds of the foresaid Lefditien, the bounds of the land of Godefrid the Marshal which he received with his wife, and the bounds of the Nun's land up to the road from Berewic leading to the bridge : And that Jhestrid which Gamell held by the bounds, by which Gamell held it, and all its rightful pertinents, which Jhestrid Eggu who held it in farm quit-claimed to me before my good men in my court ; and besides in the burgh of Karel that full Toft, which Arnald Riglepeni first made as far as the sea with the buildings of Richard his brother (*or the Monk ?*), David the priest, and Uskil of Petnewem ; and a Toft in Hadintun : Wherefore I will that the foresaid William and his heirs may hold these foresaid lands and tenandries of me and my heirs in fee and heritage by their right bounds and all justly pertaining thereto, in wood and plain, lands and waters, meadows and pastures, moors and marshes, stanks and mills, with all the naifs of these lands wherever

they will be found in all my land beyond my demesne, with pit and gallows, soc and sac, tol and them, and infangenthef, freely and quietly, fully and honourably, for the service of one knight : Witnesses, *etc.* (*H. and N.*)

9. 1202–1234. Omnibus Christi fidelibus presentes litteras uisuris uel audituris · Willelmus permissione diuina Ecclesie sancti Andree minister Humilis · Eternam in domino Salutem · Noueritis nos Ecclesiam de Ketenes quam deo et hospitali de Ponte de Berewic divine pietatis intuitu contulimus ad sustentationem infirmorum ibidem commorantium in perpetuum quantum ad nos et successores nostros spectare dinoscitur · ab honore procurationis absoluisse · salũo Jure Archidiaconi · Volimus etiam ut decanus de Mereskis qui pro tempore fuerit · manifestos detentores rerum et reddituum ad dictum Hospitale pertinenecium · ad solutionem trina admonitione permissa per censuram ecclesiasticam compellat. Concedimus insuper ut liceat magistro dicti hospitalis pulsatis campanis divina celebrare · oblationes et elemosinas recipere · Saluo mattris ecclesie Jure parochiali · Testibus Magistro Alexandro de Sancto Martino · Magistro Hugone de Meleburn · Magistro Dauid · Magistro Gilisio · Symone Capellano nostro · et multis aliis. (*H. and N.*)

TRANSLATION.

To all the faithful in Christ who see or hear these present letters William, by divine permission, humble Minister of the Kirk of Saint Andrew Greeting in the Lord everlasting : Wit ye that we, moved by divine piety, have freed the Kirk of Ketenes, granted by us to God and the Hospital at the Bridge of Berewic for the perpetual sustentation of the infirm dwelling there from the burden of procurations, so far as pertaining to us and our successors, saving the right of the Archdeacon : Also we will that the Dean of Mereskis for the time being will compel by ecclesiastical censure, after the third warning, manifest detainers of profits and rents pertaining to the said Hospital : We further grant licence to the Master of the said Hospital to celebrate divine service with ringing of bells and to receive oblations and alms, reserving to Mother Church the parochial right : Witnesses, *etc.* (*H.*)

10. 1214–1216. *Extract Decreet of Lords of Council*, 25 *May* 1542, q.v., *transuming the following Charter :* Alexander Dei gratia Rex Scotorum . . Omnibus probis hominibus totius terre sue salutem Sciatis quod nos ad petitionem abbatis et monachorum de Arbroth Concessimus Richardo de moravia Ut Ipse et heredes sui in terra llla quam Idem richardus De eisdem abbate et monachis tenet Inter auchtar et caledouer in valle de cloud in liberam curiam et sectam habeant sicut predicti abbas et monachi liberam curiam et sectam habent in terris suis quas tenent in scotia salvis nobis hiis que ad Coronam nostram pertinent : Testibus Willelmo de bossis (*Bosco*) cancellario comite Malcolmo De fiff thoma de striveling clerico Johanne de moravia : Apud Edinburgh vigesimo sexto mensis aprilis. (*H.*)

TRANSLATION.

Alexander, by the grace of God, King of Scots, To all good men of his whole land Greeting : Know ye that we, at the petition of the Abbot and Monks of Arbroath, have granted to Richard de Moray that he and his heirs may hold free court and suit in that land between Auchtar and Caledoner in the valley of Cloud which he holds of the said Abbot and monks, like as they hold free court and suit in their lands in Scotland, reserving to us what pertains to the Crown : Witnesses, *etc.* (*H.*)

11. 1214–1234. Ermengarda Dei gracia Regina Scottorum · Omnibus sancte matris ecclesie filiis has litteras uisuris uel audituris clericis et laicis salutem in domino · ad uniuersitatis uestre noticiam volimus peruenire · quod illuxtris Rex Alexander filius noster caritatis intuitu nobis contulit medietatem

ecclesie de Ketenes que ad eius spectat advocacionem · et uenerabilis pater Willelmus dei gracia episcopus Sancti Andree nobis similiter aliam illius ecclesie medietatem ad eius spectantem donacionem · contulit caritatiue · Ita ettiam quod liceat nobis prout nobis melius sederit libere disponere de tota ecclesia prenominata sicut carta domini Regis inde confecta testatur · Unde sciant presentes et futuri nos autoritate huius donacionis totam ecclesiam de Ketenes dedisse et concessisse et hac carta nostra confirmasse deo et sancte marie et hospitali sancti edwardi de sutheberwiche ad sustentacionem pauperum eiusdem hospitalis · Quare volimus ut predicta domus prefatam ecclesiam cum iustis pertinenciis suis · habeat · teneat · et possideat in liberam puram et perpetuam elemosinam adeo libere quiete · plenarie · et honorifice · sicut aliqua elemosina in toto regno scocie · liberius · quietius · plenius · et honorificencius · tenetur et possidetur · Vt autem hec nostra donacio et concessio et confirmacio futuris temporibus Robur perpetue firmitatis obtineant · presens scriptum sigilli nostri appositione duximus roborandum · Hiis Testibus · Willelmo et Willelmo capellanis nostris · iohanne clerico nostro · Heruico Mareschali seneschalo nostro · alexandro de lambertun · heugone expensario iohanne de Wartheroba · et multis aliis. (*H. and N.*)

Fragment of red wax seal appended.

TRANSLATION.

Ermengarde, by the grace of God, Queen of Scots To all the sons of Holy Mother Church, cleric and lay, who see or hear these letters, Greeting in the Lord: We will that all, present and future, to whose notice this comes, may know that the illustrious King Alexander our son, moved by charity, having given us the half of the Kirk of Ketenes whose advowson pertained to him, and the venerable father, William by the grace of God Bishop of Saint Andrews, having also of his charity granted the other half pertaining to him in advowson and gift, therefore we also having power, as the charter of the King testifies, freely to dispose of the whole said church as we think fit, have by virtue of this grant given and granted the whole kirk of Ketenes and by this our charter confirmed to God and Saint Mary and the Hospital of S. Edward of South Berwiche for the sustentation of the paupers in the said hospital: Wherefore we will that the foresaid house do have, hold, and possess the said kirk with its just pertinents in free, pure, and perpetual alms as freely, quietly, fully and honourably as any other alms in the whole realm of Scotland is held and possessed: That this our gift, grant, and confirmation may have the strength of perpetual surety in future days we have caused our seal to be appended to this present writ: Witnesses, *etc.* (*H.*)

12. 1225–1234. Omnibus Christi fidelibus has litteras uisuris uel audituris · Henricus · dei gracia prior et Conuentus sancti Andree eternam in domino salutem · Noueritis nos ad peticionem uenerabilis patris nostri Willelmi dei gracia episcopi sancti Andree ecclesiam de Ketenes quam deo et hospitali de ponte de Berwic diuine pietatis intuitu contulit ad susentacionem infirmorum ibidem commorancium in perpetuum ab (h)onere procuracionis episcopalis absolutam saluo iure archidiaconi auctoritate Capituli nostri confirmasse cum omnibus aliis libertatibus dicte domui ab eodem episcopo nostro concessis · secundum quod Carta ipsius inde confecta testatur · Et in huius rei testimonium presentem paginam comuni sigillo capituli nostri fecimus signari · Testibus Capitulo nostro. (*H. and N.*)

TRANSLATION.

To all the faithful in Christ who see or hear these letters Henry, by the grace of God, Prior, and the Convent of Saint Andrews Greeting in the Lord everlasting: Wit ye that we, at the petition of our venerable father William, by the grace of God, Bishop of S. Andrews have confirmed the Kirk of Ketenes, which he led by divine charity granted to God and the Hospital at the Bridge of Berwic for the sustentation of the infirm dwelling there, in perpetuity free from the burden

of episcopal procurations, saving the Archdeacon's right, with all other liberties granted to the said house by our said bishop, as his charter made thereupon testifies : And in testimony hereof we have caused sign this present page with the Common Seal of our Chapter : Witnesses, our Chapter. (*H.*)

13. c. 1230–1250. Sciant tam presentes quam futuri quod Ego thomas de yestred filius Radulphi Reddidi et quietum clamaui netcher yestred cum omnibus rectis pertinenciis suis Willelmo Giffard et heredibus suis de me et heredibus meis videlicet propter unam karucatam terre in Berwaldestune et · xiiij · marcas quas predictus Willelmus Giffard dedit mei in excambitionem prenominati uille de netcher yestred cum omnibus natiuis Hominibus eiusdem uille His · Testibus · Willelmo de ueteri ponte · valtero de havalla · valtero de penkatland · Willelmo de capella Roberto rusel · valdeuo de Samuelistune · Ricardo filio flinhard · Siwardo de karlel · Willelmo clerico Hugone seruo · Roberto del maner · Ricardo sulard · Roberto clerico et multis aliis. (*H. and N.*)

Seal appended, in fair condition, a device non-armorial.

TRANSLATION.

Know ye as well present, as to come, that I Thomas de Yestred, son of Radulph, have resigned and quitclaimed Nether Yestred with all its rightful appurtenances to William Giffard and his heirs from me and my heirs, viz. : for one carucate of land in Berwaldestune and 14 marks, which the foresaid William gave me in exchange for the abovementioned town of Nether Yestred with all the neyfs of the said town : Witnesses, *etc.* (*H.*)

14. 1240–1248. Omnibus hoc scriptum visuris uel audituris · Cristiana de Brus Comitissa de Dunbar salutem In domino · Nouerit vniuersitas vestra me de assensu et voluntate domini patricii comitis De Dunbar · et domini patricii filii et heredis eiusdem comitis · necnon de assensu et voluntate venerabilis patris in Christo · Dauid · dei gracia episcopi sancti Andree · dedisse · concessisse · et hac presenti carta mea confirmasse deo et fratribus ordinis Sancte trinitatis et captiuorum · domum meam quam fundaui in villa de Dunbar · Cum omnibus possessionibus et bonis dictam domum contingentibus · tam de dono domini · Patricii · comitis · et domini · Dauid de grahame · et thome de bernach · quam de emptionibus et aliunde prouenientibus · Tenendam et habendam predictis fratribus in puram et perpetuam elemosinam · Ita libere · quiete · plenarie · et honorifice · Sicut aliqua elemosina in regno Scocie liberius · quiecius · plenius · et honorificenius · tenetur et possidetur · Ita videlicet quod Minister domus de berwich quicunque pro tempore fuerit · perpetuo habeat curam et Custodiam dicte domus · qui etiam inueniat vnum fratrem capellanum in eadem domo (ministrantem ?) jn perpetuum · tam pro viuis quam pro defunctis pie et deuote diuina celebrantem Volo etiam et concedo vt dictus Minister vna cum fratribus in domo de Dunbar commorantibus · de omnibus possessionibus et bonis tam mobilibus quam Inmobilibus dicte domui collatis et conferendis pro voluntate sua et Secundum statuta ordinis sui · libere possit disponere · In cuius rei testimonium · presenti scripto sigillum meum apposui · Hiis testibus · Domino · Patricio · comite De Dunbar · Domino · Patricio · filio suo · Domino Willelmo fratre Comitis · Domino Rogero de Mubre · Domino · W · de burdone · Domino · Dauid · de burdone · Domino · W · persona de Dunbar · Magistro W · de edenham · Magistro · W · de (dronlav) · Domino · Dauid · de grahame · Domino · N · de pynkertona · Thome de Carnewych · stephano clerico · et aliis. (*H. and N.*)

TRANSLATION.

To all who see or hear this writ Christian de Brus, Countess of Dunbar, Greeting in the Lord : Wit ye that I, with the assent and will of Sir Patrick, Earl of Dunbar, and Sir Patrick his son and heir, and also of the venerable father in Christ David, by the grace of God Bishop of S. Andrews, have given,

granted, and by this my present charter confirmed to God and the Friars of the Order of the Holy Trinity and the Captives my house which I founded in Dunbar with all its belongings and chattels as well by gift of Sir Patrick the Earl, Sir David de Grahame, and Thomas de Bernach, as by purchase and provision otherwise : To be held by the said Friars in pure and perpetual alms as freely, quietly, fully, and honourably as any other alms in the kingdom of Scotland is held and possessed, so that the Minister of the House of Berwich, for the time being, will have perpetual care and charge of the said house, who shall also find a friar to be Chaplain in the said house and continually celebrate divine service piously and devoutly for the quick and the dead : Also I will and grant that the said Minister with the friars dwelling in the house at Dunbar will have full power to dispose at his own will in terms of the Statutes of his Order of all the possessions and goods, movable and immovable, given and granted to the said house : In testimony whereof I have appended my seal : Witnesses, *etc.* (*H.*)

15. 30th July 1250. Omnibus Hoc scriptum uisuris uel audituris Godefridus filius Thome de Tyndale Salutem · Noueritis me die sabati In Crastino sancti martini anno gracie MDCCL · In plena Curia dominorum apud forfar coram Justicario scocie Domino alano hostiario · Willelmo de Brehyn · et Roberto de monte alto tunc vicecomite · quietumclamasse et redidisse per fustum et Baculum et pro defectu Seruicij quod facere non potui, domino Hugoni Gyffard et heredibus suis, pro me et heredibus meis totum ius quod habui uel habere potui In terra de Balbohelyn In feodo de Telyn quam quidam terram Willelmus Gyffard · antecessor domini Hugonis antecessoribus meis dedit · de qua terra omnia monumenta Cartas et alia dicto Hugoni reddidi · renuncians pro me et heredibus meis, omnibus scriptis cartis taliis decetero sive imposterum inuentis, nec locum habeant ad inplacitandum dictum Hugonem uel heredes suos de dicta terra de Balbohelyn quia tam iuri nostro et seysine nostre et omnibus monumentis que dictum Hugonem uel heredes suos grauare possent renunciamus In Cuius quiete clamacionis testimonium Huic scripto sigillum meum apposui vna cum sigillis plurimorum Baronum · scilicet Roberti · de monte alto · Willelmi de Rameseye · ade de Morham · Alexandre de Hoglewin Hugonis de Hanegos. (*H. and N.*)

The seals of Godfrid (non-armorial), Ramsay, Morham, and Hanegos (broken and illegible) still appended.

TRANSLATION.

To all who see or hear this writ, Godfrid, son of Thomas de Tyndale, Greeting : Wit ye that I on Saturday, S. Martin's Eve, 1250, in the full Court of the Lords at Forfar before Sir Alan Durward Justiciar of Scotland, William de Brehyn, and Robert de Moffat now sheriff, quit-claimed and resigned with Staff and baton, for defect of service which I am not able to render, To Sir Hugh Giffard and his heirs from me and my heirs all right which I have or can have to the land of Balbohelyn in the feof of Telyn, which said land William Giffard, ancestor of Sir Hugh, gave to my ancestors, Of which lands all muniments, charters, and other writs I have resigned to the said Hugh, Renouncing for myself and my heirs all writs, charters, and tailzies to be found now or in future that they may have no power to disturb the said Hugh or his heirs in the said land of Balbohelyn, because we now renounce our right and sasine and all muniments which can prejudice the said Hugh or his heirs: In testimony of this quit-claiming I have appended my seal to this writ along with the seals of other Barons namely, Robert de Moffat, William de Ramsay, Adam de Morham, Alexander de Hoglewin (*Ogilvy ?*) and Hugh de Hanegos (*Angus ?*). (*H.*)

16. 1250–1267. Sciant presentes et futuri · Quod ego Adam de morham dedi et concessi et hac presenti carta mea confirmavi · Domini · Hugoni · Giffard ad parcum suum faciendum · Totam costam bosci mei que est uersus

castellam de Jestrith · cum · terra et omni quod infra continetur sine ullo retenemento sicut fundamentum predicti parci dicti domini · Hugonis proiectum est · Scilicet a vado Rivoli qui vocatur Jestrith · sicut kilnunrodes decendunt in illo vado uersus Duncanelaw · et ita ascendendo uersus aquilonem in dextra parte de Kilmerodes · usque ad oppositum de bernedene · et ita feriens siue transiens in bernedene · et ita per bernedene ascendendo usque ad yma capitis terre arrabilis pertinentis capelle de Dukanelawe et ita inter illam terram arrabilem et boscum usque Welledene et sic transcendendo Welledene aliquantulum decendendo et belimiando in sinistra parte usque veniat in profundum de welledene et Ita ascendendo usque ad yma capitis de maistercroftes inter terram arrabilem de maistercroftis et boscam usque ad capud horientale de Maistercroftis et Ita ascendendo uersus aquilonem super boscum usque terram arrabilem · et Ita inter terram arrabilem et boscum usque ad vadum Riwuli de yalupethe qui est inter terram meam · et terram monialium de Hadintune · Do insuper dicto domino Hugoni et heredibus suis · Tres pedatas terre extra murum suum dicti parci versus aquilonem immediate iacentis Juxta murum · ab inicio muri in longitudine · usque ad finem dicti muri · ad faciendum fossatum de toto uel de parte dictarum trium pedatum terre ad salwandum murum dicti sui parci ab aquis superuenientibus · Ita quod dictus dominus Hugo · nec heredes sui aliquid exigere peterunt extra dictum murum racione huius donacionis nisi tantum modo dictas tres pedatas supra nominatas · Tenendum et habendum predictum tenementum dicto domino Hugoni · Giffard et heredibus suis de me et heredibus meis · libere · quiete · bene · hereditarie · honorifice · et in pace · in bosco · et plano · in viis et semitis et in omnibus aliis rebus dicto tenemento pertinentibus · Reddendo inde annuatim ipse et heredes sui michi et heredibus meis Quinque denarios ad pentecosten · pro omnibus seruiciis · auxiliis · sectis curie · wardis · releviis · et omnibus aliis demandis secularibus et Regalibus · Et si ita contingat quod predictus redditus ad terminum statutum solutus non fuerit unde reragia debeantur · Ego predictus adam et heredes mei predictum dominum · Hugonem · Giffard uel heredes suos per bona de Netheriestrith · pro predicto redditu distringemus · Set non per murum parci sui · nec per aliqua alia que infra dictum murum continentur · nec per fossatum · nec per aliquam partem fossati · nec per terram vacuam siquid fuerit iacentem · inter fossatum et murum nec per aliquam partem terre iacentis ab inicio muri et fossati · usque in fine · nec per aliquod quod continetur uel contineri poterit inposterum ab aquiloni parte fossati usque ad murum dicti parci · nec per aliquod quod continetur uel uniquam poterit contineri infra prefatum tenementum · licet sic contentum infra feodum meum · Et sciendum est quod dictus dominus Hugo nec heredes sui michi · nec heredibus meis homagium pro predicto tenemento facient · nec sacramentum fidelitatis iurabunt · Et ego predictus adam de morham et heredes mei totum predictum tenementum cum pertinenciis suis sicut prescriptum est · predicto domino · Hugoni · Giffard et heredibus suis Warantizabimus · defendemus · et acquietabimus contra omnes gentes · In cuius rei testimonium presenti scripto sigillum meum apposui · Hiis testibus · Domino · Roberto · de mayneres · domino · Johanne · cumyn · domino · Johanne · de ketht · Roberto · de Noutona · philippo de ketht filio domini · Johanne · de pencatland · Willelmo · de Remfru · Radulfo · de Eykelm · Johanne · senescallo · de pencatland · Waltero · auenel · Willelmo · coco de bovltune · Johanne · de kydelaue · Adam de Templo · et multis aliis. (*H. and N.*)

Seal appended, in good condition, by pleat of silk.

TRANSLATION.

May those present and to come know that I, Adam de Morham, have given, and granted, and by this my present charter confirmed to Sir Hugh Giffard for the formation of his park all the side of my wood which is beside the Castle of Yester with the land and all contained therein without any retention as the formation of the said park is designed by the said Sir Hugh : namely from the ford of the burn called Yester as the Kilnunrodes descend by that ford

towards Duncanlaw and thus ascending northwards by the right side of the Kilnunrodes until opposite Berndene and thus going or crossing by Berndene and ascending through Berndene to the very top of the cultivated land of the Chapel of Duncanlaw and then between the said cultivated land and the wood to Welldene and thus crossing Welldene for a space descending and (*crossing?*) through the left side until it comes to the bottom of Welldene and then mounting to the very top of Maistercroftes between the cultivated land of Maistercroftes and the wood as far as the eastern summit and then ascending northwards beyond the wood to the cultivated land and then between the cultivated land and the wood to the ford of the burn of Yellowpath which is between my land and that of the Nuns of Haddington : Farther I give to the said Sir Hugh and his heirs three feet of land beyond the wall of his said park towards the north lying close beside the wall from the start of the wall in length to the end of the said wall to make a fosse of all or part of the said three feet of land to protect the wall of the said park from water coming from above ; provided that the said Sir Hugh and his heirs do not try to hold anything without the said wall by reason of this grant except the said three feet above-named : The foresaid tenement to be held and had to the said Sir Hugh Giffard and his heirs of me and my heirs freely, quietly, well, heritably, honourably, and peaceably in wood and plain, roads and paths, and all other things pertaining to the said tenement : Paying yearly therefor he and his heirs to me and my heirs five pence at Pentecost for all services, aids, suits of court, wards, reliefs, and all other secular and royal exactions : and if it happen that the said payment be not made at the stated term, whereby arrears may be due, I the said Adam and my heirs shall distrain the goods of the foresaid Sir Hugh Giffard or his heirs in Nether Yester for the foresaid payment, but not the wall of his park nor anything else contained within it nor the fosse nor any part thereof nor waste land, if any there be, between the fosse and the wall, nor any land stretching from the start of the wall and fosse to the end nor anything contained or which can be contained in the future from the north side of the fosse to the wall of the said park nor anything else contained or possibly contained within the said tenement thus contained in my feof : And it is to be known that the said Sir Hugh and his heirs will render me and my heirs no homage for the said tenement nor take the oath of fealty : And I the foresaid Adam de Morham and my heirs shall warrand and defend and acquit against all people all the said tenement with its pertinents as above-written, to the foresaid Sir Hugh Giffard and his heirs : In testimony whereof I have appended my seal to this present writ : Witnesses, *etc.* (*H.*)

17. c. 1250-1267 (?). Vniuersis presens scriptum visuris vel audituris ego Ricardus soylard salutem Nouerit vniuersitas vestra me recepisse a domino hugone giffard totam terram de le Snoc quam emit de petro brun et de agnete uxore sua in villa de berewich cum omnibus libertatibus et asiamentis ad dictam terram pertinentibus, sicut plenius continetur in carta quam mihi de dicta terra dictus dominus hugo giffard dedit in hiis verbis Sciant presentes et futuri quod ego hugo giffard dedi et concessi et hac presenti carta mea confirmaui ricardo soylard seruienti meo et heredibus suis totam terram de le Snoc quam emi de petro brun et de domina agnete uxore eiusdem in villa de berewich cum omnibus libertatibus et asiamentis ad dictam terram pertinentibus. Tenendam et habendam de me et heredibus meis sibi et heredibus suis adeo libere quiete pacifice et honorifice sicut ego dictus hugo giffard liberius quietius dictam terram tenui vel tenere potui · faciendo mihi et heredibus meis totale servicium pro dicta terra dictus Ricardus soylard et heredes sui quod (*vero?*) mercatores mei fideles et heredum meorum quotidies hora voluerimus infra villam de berewich et extra per unam leucam sicut custos suos proprios · Et si contingat quod dictus ricardus soylard et heredes sui in mercationibus et negociis meis uel heredum meorum vadant per preceptam nostram inter twede et forth plusquam unam leucam · ego dictus (*hugo*) giffard et heredes mei dicto ricardo soylard et heredibus suis estouarias racionabiles tenemur invenire eundo et redeundo usque ad villam de berewich—videlizet uni garconi et duobus equis

si duos habuerit · vel uni equo si duos non habuerint Tenemur et etiam dicto ricardo et heredibus suis domos sufficientes invenire secundum quod videbimus pro racione ad hospitandum eos dum eos voluerimus habere in mercationibus nostris Et omnes domos meas videlicet adeo bene illas in quibus sedet sicut alias que remanent apud nos quas ego et heredes mei trademus dicto ricardo et heredibus suis ad custodiendum. Idem dictus ricardus et heredes sui custodient in tam bono statu sic(*ut*) (*i*)lle et heredes sui dictas domos a me et heredibus meis receperint nisi ita sit quod dicte domus detrimentum habeant per oragium uel per putrefactionem Et——qua domus ceciderit dictus ricardus et heredes sui eam saluabunt et reseruabunt meremium ad opus meum et heredum meorum Et idem ricardus soylard se obligauit firmiter per fidem suam pro se et heredibus suis erga me et heredes meos ad omnia prescripta fideliter seruandum · Vt autem hec donacio et confirmacio mea rata et stabilis permaneat · ego predictus hugo giffard hanc cartam meam sigilli mei roboraui Et dictus ricardus scriptum suum de hiis conuencionibus sicut prescriptum est · roborauit impressione sigilli sui · et liberauit mihi et heredibus meis pro se et heredibus suis Hiis testibus domino iohanne Grey tunc maiore de berewich et domino iohanne de dunbarre · domino ade filio philippi · thome de moreuia Matheo de grenelawe · Willelmo dendor Radulpho noremanno et aliis et sciendum est quod ego dictus ricardus soylard et heredes mei dicto domino hugoni giffard et heredibus suis omnes conuenciones predictas sicut plenius continetur in scripto de predicta terra confecto sine omni fraude et dolo obseruabimus et fideliter iurabimus Et ad maiorem huius rei securitatem presens scriptum sigilli mei impressione roboraui. Hiis testibus domino Johanne Grey tunc maiore de berewich · domino iohanne de dunbarre · domino ade filio philippi · thome de moreuia · Matheo de grenelawe · Willelmo dendor · Radulpho noremanno et alijs. (*H. and N.*)

On paper, evidently a 15th century copy. On the lower part of this sheet is a copy of Charter No. 1, and on the back the following note in handwriting of the first half of the 16th century: "My consal is at ye attemit ye lard of belle for it was [*given?*] me to wyt yat hes fader had ye rental of ye schirafdowm of berwik ba^{t} of brwgh τ of land of ald tym τ to sper at ye ewest men of ye cu'tra τ zowr cosynes τ myn schir alexad^{r} howm."

Translation.

To all who see or hear this present writ Richard Soylard Greeting: Wit ye that I have received from Sir Hugh Giffard all the land of the Snoc, which he bought from Peter Brun and Agnes his wife, in the town of Berewich with all liberties and easements pertaining thereto, as more fully is contained in the charter which the said Sir Hugh Giffard gave me of the said land in these words: Wit ye both present and future that I Hugh Giffard have given and granted and by this my charter confirmed to Richard Soylard my servant and his heirs all the land of the Snoc, which I bought from Peter Brun and Dame Agnes his wife, with all liberties and easements pertaining thereto in the town of Berewich: To be held and had of me and my heirs by him and his heirs as freely, quietly, peaceably, and honourably as I the said Hugh Giffard hold or ought to hold the said land: The said Richard Soylard and his heirs rendering for the said land to me and my heirs all the service as faithful merchants of me and my heirs would do daily at any season as we desire within the town of Berewich and beyond for a league as if for their own business: And, if it should happen that the said Richard Soylard and his heirs in purchasing and negotiating for me or my heirs should go, at our directing, more than a league betwixt Tweed and Forth, I the said Hugh Giffard and my heirs become liable to the said Richard Soylard and his heirs for reasonable expenses in their going from and returning to the town of Berewich, namely for one groom and two horses if two they have, or one horse if they have not two: And also we are liable to provide the said Richard and his heirs with sufficient lodgings as we think meet for lodging them in whilst we desire to employ them in our tradings: And I and my heirs do consign to the care of the said Richard and his heirs all my houses, as well those he inhabits as those remaining to us: The said Richard

and his heirs to maintain them in as good condition as he and his heirs receive the said houses from me and my heirs unless it befall that the said houses suffer damage by tempest or decay and if any house have fallen the said Richard and his heirs shall save and reserve the timber for my use or that of my heirs : And the said Richard Soylard has surely pledged him and his heirs on his oath to observe all the above-written to me and my heirs faithfully ; And that this my gift and confirmation may stand good and sure I the said Hugh Giffard have authenticated this my charter with my seal ; and the said Richard has confirmed his writ anent the agreements above-written with the impression of his seal, and has freed me and my heirs of him and his heirs : Witnesses, Sir John Grey present Mayor of Berewich, and Sir John de Dunbar, Sir Adam Phillipson, Thomas de Moray, Matthew de Greenlaw, William Dendor, Ralph Norman, and others : And be it known that I the said Richard Soylard and my heirs will keep all the agreements to the said Sir Hugh Giffard and his heirs without fraud or guile as is more fully contained in the writ made anent the foresaid land ; And we shall swear to it on our oaths : And for the greater surety of this matter I have authenticated this present writ with the impression of my seal : Witnesses, *etc.* (*H.*)

18. c. 1320. Sciant presentes et futuri quod ego Hugo de ffoddrygay per fustum et baculum Reddidi et Resignaui et omnino pro me et heredibus meis quietum clamaui totam terram de balnoch in tenementum de Telyn sine aliquo retenemento inperpetuum et totum ius et clameum quod ad dictam terram habui vel aliqua racione habere potui Domino Johanni Giffard et heredibus suis cum omnibus suis pertinenciis infra villam de balnoch et extra quam quidam terram habui de dono quondam domini Johannis Giffard patris predicti Johannis Ita quod ego nec aliquis heredum meorum nec aliquis alius in dictam terram aliquod ius vel clameum quoquomodo vel casu exigere vel vindicare poterimus in posterum et si aliquod scriptum seu instrumentum de feoffamentum dicte terre de balnocht penes me vel heredes meos vel aliquem alium inveniatur · quod illud scriptum vel instrumentum mihi hugoni vel heredibus meis vel alicui alii nichil possint prodesse nec dicto domino Johanni Giffard nec heredibus suis nocere pro hac autem reddicione et resignatcione et quieteclamacione dictus dominus Johannes Giffard pro se et heredibus suis dedit mihi et heredibus meis in excambia totam terram quam habuit in vchtercoman et Laurenstona excepta tercia parti domine Issabelle matris predicti domini Johannis de parva vchtircoman vt patet in scripto inde michi et heredibus meis a dicto domino Hugone (*sic*) plenarie confecto In cuius rei testimonium Huic scripto Sigilli mei inpressionem apposui Hiis Testibus dominis Gilberto de Haya Willelmo de Haya de Lochworuyr Willelmo de Ramesay tunc vicecomite de fforfar militibus Willelmo de mortuo mari et Willelmo de litterio clerico et multis alijs. (*H. and N.*)

Seal appended, fine impression but partly broken.

TRANSLATION.

Wit ye those present and to come that I Hugh de Foddrygay by staff and baton have surrendered, and resigned, and fully quit-claimed for me and my heirs all the land of Balnoch in the tenement of Telyn without any reservation forever, and all right and claim which I have or can have by any means to the said land, in favour of Sir John Giffard and his heirs with all pertinents within and without the town of Balnoch, which said land I hold by the gift of umquhile Sir John Giffard, father of the said John : And, that I and any of my heirs or anyone else shall not be able to exact nor claim any right or claim by whatever way or chance in future, if any writ or instrument of infeofment in the said land of Balnocht be found with me or my heirs or anyone else, the said writ or instrument will not be produced by me, the said Hugh or my heirs or anyone else to harm the said Sir John Giffard and his heirs : For this surrender, resignation, and quit claim the said Sir John Giffard for himself and his heirs has given me and my heirs in excambion all the land which he has in Uchtercoman and Laurenston, except the terce of Dame Isable, mother of the said Sir John,

in Little Uchtercoman, as shewn in the writ fully made thereanent to me and my heirs by the said Sir *Hugh* (*sic*, should be *John*) : In testimony whereof I have appended the impression of my seal to this writ : Witnesses, *etc.* (*H.*)

19. 18th May 1322. "Carta Domini Johannis Giffard de terris de Donipas de Doncanlaw et de Morham." (Endorsement in contemporary hand.) CIROGRAFFATA. Robertus dei gracia / Rex Scottorum / Omnibus probis Hominibus tocius terre sue Salutem · Sciatis nos Dedisse / concessisse / et Hac presenti carta nostra cirographata confirmasse / Thome de Morhame patri militi / omnes terras / et omnia tenementa cum pertinenciis in Baronia de Donypas / quas et que / Thomas Ranulphi Comes Morauie / Dominus vallis anandie / et Mannie / Nepos noster dilectus / per fustum et baculum / apud Glasgu / nuper nobis sursum reddidit / et quietumclamauit / necnon et omnes terras / et omnia tenementa cum pertinenciis in Baroniis de Ducanlau / et De Morehame / quas et que / dictus Thomas de Moreham / per fustum et baculum / Similiter apud Glasgu nobis nuper sursum reddidit / et quietumclamauit · Habendas et Tenendas predicto Thome de Morehame / ad totam vitam suam tantum / de nobis et heredibus nostris / cum Seruiciis Liberetenentium / et cum omnibus aliis et Singulis Libertatibus / Commoditatibus aisiamentis / et iustis pertinenciis / in omnibus / et per omnia / tam non nominatis / quam nominatis / ad predictas terras / et ad predicta tenementa iuste pertinentibus / seu qualitercunque pertinere valentibus · Ita / quod post decessum ipsius Thome de Morehame / omnes predicte terre / et omnia / tenementa predicta cum pertinenciis / Johanni Giffard militi / et Eufamie Sponse sue / et heredibus de corporibus suis legittime procreatis integre et quiete remaneant imperpetuum · Et Si contigerit ipsos Johannem et Eufamiam / absque herede de corporibus suis legittime procreato / in fata discedere ? volimus / quod omnes terre predicte / et omnia predicta tenementa cum pertinenciis / post decessum dictorum Johannis et Eufamie / propinquioribus heredibus dicti Thome de Morhame integre / et quiete reuertantur in futuris / ffaciendo nobis / et heredibus nostris Ceterisque capitalibus feodorum Dominis / omnia seruicia / inde debita et consueta · Volimus insuper / quod si dictus Thomas de Morehame / de dictis terris / aut tenementis / seu de aliqua parte earumdem / aliquam fecerit alienacionem / donacionem / vendicionem / inpignoracionem / vel ad terminum dimissione / vlterius quod ad terminum vite ipsius Thome tantum / quod extunc ipse Thomas cadat et omnino prouetur ab omni iure et seisina habitis in eisdem terris et tenementis racione nostre infeodacionis / et infeodacio nostra sibi facta de eisdem / omni careat robore et virtute / necnon et extunc / prefati Johannes et Eufamia / et heredes sui predicti / omnes predictas terras / et omnia tenementa predicta cum pertinenciis libere / et quiete ingrediantur / et possideant / iuxta formam concessionis nostre superius eis facte de eisdem · In cuius rei testimonium / huic carte cirographatte Sigillum nostrum precipimus apponi / Testibus Bernardo abbate de abirbroth Cancellario nostro / Waltero Senescallo Scocie Jacobo Domino de Douglas / Roberto de Ketht marescallo nostro / Roberto de Lawedre Justiciaro Laudonie Militibus / Willelmo Veteri Ponte / Willelmo de Abiruithin / et aliis · Data apud BerWicum super TWedam / xviij° · die maij / Anno Regni nostri Septimodecimo · (*H.*)

Fragment of the (second) Great Seal of Robert I. appended in bad condition. The top of the charter is indented, having been granted in duplicate, one half, the above, to remain with John Giffard and Eufamia, and the other with Thomas, which is the one, apparently, entered in the Register, *cf.* Reg. Mag. Sig., vol. i., App. I., No. 39, from the Haddington MS. copy. The date there is given as 10th May.

TRANSLATION.

CHARTER to Sir John Giffard of the Lands of Donipas, Doncanlaw and Morham.—(*Endorsement.*)

In Duplicate.—Robert, by the grace of God, King of Scots to all good men of his whole land Greeting : Wit ye that we have given, granted, and by this our present charter in duplicate confirmed to Thomas de Morhame, senior, knight all the lands and tenements with pertinents in the Barony of Donipas,

which our beloved nephew Thomas Randolph, Earl of Moray Lord of Annandale and Man, lately resigned and quit claimed to us with staff and baton at Glasgow; also all the lands and tenements with pertinents in the Baronies of Duncanlaw and Morhame, which the said Thomas de Morhame likewise recently resigned and quit claimed to us with staff and baton at Glasgow: To be held and had by the said Thomas de Morhame of us and our heirs for all the days of his life with the services of freeholders and all and sundry other liberties, commodities, easements, and just pertinents in all and through all things named or not which justly belong or ought to belong in any way to the said lands and tenements; So that after the death of the said Thomas de Morhame all the foresaid lands and tenements with pertinents are to remain forever wholly and quietly with Sir John Giffard, knight, and Eufamia his wife and the heirs of their bodies lawfully procreated: And should it happen that the said John and Eufamia should die without any heirs lawfully procreated of their bodies we will that all the said lands and tenements, after the deaths of the said John and Eufamia, will revert to the nearest heirs of the said Thomas de Morhame wholly and quietly forever: Rendering to us and our heirs and the other chief lords of the fiefs all services thence due and wont: Further we will that if the said Thomas de Morhame do make an alienation, gift, sale or wadset of the said lands and tenements or any part thereof or by dimission at a later term which is to be in force at the end of the said Thomas's life that then the said Thomas will lose and be wholly removed from right and sasine had in the said lands and tenements by reason of our infeofment, and our infeftment made to him of these loses all strength and virtue, and thereupon the said John and Eufamia and their foresaid heirs will enter to all the said lands and tenements with pertinents freely and quietly and possess them after the tenour of our concession made above: In testimony whereof we have caused our seal to be appended to this duplicate charter: Witnesses, *etc.* (*H.*)

20. Nov. 1327. Omnibus hoc scriptum visuris uel audituris Johannes Gyffard dominus de yestre et baroniarum de Morame et de Ducanlau Salutem in domino sempiternam Cum quedam contencio nuper mota fuisset inter religiosas dominas Priorissam et moniales de hadygtoun ex parte vna et me ex parte altera Super quibusdam viis Semitis liberis introitibus et exitibus de grangia sua de Nunhope usque ad domum suam de hadygtoun et de grangia sua de Nunland et aliis grangiis terris petariis et turbariis usque ad domum suam supradictam · Noueritis me pro salute anime mee et Eufemie sponse mee et heredum nostrorum et antecessorum et successorum nostrorum pro me et heredibus meis tenore presentis scripti concessisse et presenti scripte confirmasse eisdem monialibus et earum successoribus · liberum transitum et communem extra blada et prata indefencione posita · omni tempore anni in omnibus viis semitis aliquo tempore vsitatis de le Nunhope usque villam de yestre et abinde de usque domum suam de hadygtona et de dicta grangia de le nunhope usque predictam grangiam suam de Nunland et ab illa grangia et omnibus aliis grangiis terris silvis petariis turbariis in omnibus viis et semitis communiter vsitatis usque ad dictam domum suam de hadygtona cum plaustis (*sic*) carettis equis et uniuersis animalibus quotiens indiguerint absque contradiccone uel impedimento mei uel heredum meorum seu cuiuscunque nomine nostra inperpetuum Et ego Johannes et heredes mei predictum liberum et communem transitum per omnes vias et semitas supradictas prefatis monialibus contra omnes gentes Warantizabimus acquietabimus et inperpetuum defendemus In cuius Rei testimonium presens scriptum sigilli mei munimine roboraui Datum apud Castrum de yestre die Jouis proxima post festum Sancti martini in yeme anno gracie milesimo Tricentesimo vicesimo septimo. (*H. and N.*)

A duplicate (apparently, or at least a contemporary copy) on parchment of the original charter granted by Sir John Giffard to the Nuns.

TRANSLATION.

To all who see or hear this writ John Gyffard, Lord of Yestre and the Baronies of Morame and Duncanlau, greeting in the Lord everlasting: Seeing

that there has been a dispute between the Reverend Dames, the Prioress and Nuns of Hadygtoun, and me over certain roads, paths, and free entries and exits from their Grange of Nunhope to their House of Hadygtoun, and from their Grange of Nunland, and other granges, lands, petaries, and turbaries to their foresaid house ; Wit ye that I for the weal of my soul and the souls of Eufamia my wife, and our heirs, ancestors, and successors for me and my heirs by the tenour of this present writ have granted and by this writ confirmed to the said Nuns and their successors free and common transit beyond the corn and meadows enclosed in fence at all times of the year in all roads and paths of use at any time from the Nunhope to the town of Yestre and thence to their House of Hadygton, and from the said Grange of the Nunhope to their foresaid Grange of Nunland, and from that grange and all other granges, lands, woods, petaries, and turbaries in all roads and paths commonly used to their said House of Hadygtoun with wains, carts, horses, and any kind of animal whenever they require forever without contradiction or hindrance from me or my heirs or anyone in our name : And I, John, and my heirs the foresaid free and common transit by all foresaid roads and paths shall warrand, and acquit, and forever defend to the said Nuns against all people : In testimony whereof I have strengthened by the confirmation of my seal : Dated at Yestre Castle, Thursday after Martinmas in the year of grace 1327. (*H.*)

21. 24th April 1327–8th May 1328. *Notarial Copy* (*see No.* 68B) *of the following Charter:* Omnibus hanc cartam visuris vel audituris hugo de Ross filius et heres domini Willelmi comitis de Ross Salutem eternam in domino ; Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Thome de haya de lochhorwor dilecto consanguineo nostro pro homagio et seruicio suo decem libratas terre tantum in villa de kynkarachy infra comitatum bochanie salua nobis potestate libere disponendi et ordinandi de residuo vltra summam predictam decem libratarum terre in eadem villa existento vel existendendo : Tenendas et Habendas sibi et heredibus suis de nobis et heredibus nostris in feodo et hereditate libere quiete plenarie et honorifice in boscis et planis pratis et pascuis moris et marresiis stagnis et aquis molendinis et brasinis venaconibus et aucupaconibus piscariis et viuariis et omnibus aliis suis pertinencijs libertatibus commoditatibus et asiamentis ad dictam villam seu terram spectantibus seu aliquo iure vel consuetudine in futurum spectare valentibus tam non nominatis quam nominatis : Reddendo nobis inde et heredibus nostris vnum par calcarum deauratorum annuatim ad pentecosten et faciendo inde forincecum seruicium domini Regis quantum ad dictam terram pertinet et sectam ad curias nostras pro omni alio seruicio seculari exacone seu demanda : In cuius rei testimonium huic presenti carte nostre sigillum nostrum apposuimus : Hiis testibus domino Michaele dei gracia tunc abbate de dere ; Magistro Willelmo de londors cancellario ecclesie Rossensis ; Magistro Andrea de hyrdmannistoun ecclesiarum rossensis et cathanensis canonico ; hutredo de fotheis Malisio de menteth et multis alijs.

TRANSLATION.

To all who see or hear this charter Hugh de Ross, son and heir of Sir William Earl of Ross ; Greeting everlasting in the Lord : Wit ye that we have given, granted, and by this our present charter confirmed to our beloved kinsman Thomas de Haya of Lochhorwor for his homage and service ten poundlands in the town of Kynkarachy within the earldom of Buchan, reserving to us power freely to dispose of and manage the rest of the said town remaining beyond the said ten poundlands : To be held and had by him and his heirs of us and our heirs in fee and heritage freely, quietly, fully, and honourably in woods and plains, meadows and pastures, moors and marshes, pools and waters, mills and brewhouses, huntings and hawkings, fishings and fishponds, and all their other pertinents, liberties, commodities, and easements belonging to or which ought to belong in future to the said town or land by any right or custom named or not : Paying to us and our heirs therefor a pair of gilded spurs yearly at Pentecost, and rendering as much forinsec service to the Lord

King as is due for the said land, and suits at our courts for all other secular service, exaction, or demand : In testimony whereof we have appended our seal to this our present charter ; Witnesses, *etc.* (*H.*)

22. c. 1327. Omnibus hanc cartam Visuris Vel audituris Johannes giffard dominus de yestir salutem in domino · Noueritis me pro salute anime mee et pro salute anime Eufemie sponse mee necnon et pro salute animarum omnium predecessorum et successorum meorum concessisse dedisse et hac presenti carta mea confirmasse deo et beate Marie ac domui de Melros ac monachis ibidem deo seruientibus et in perpetuum servituris · vnum toftum et croftum in villa mea de yestir predicta et duas bouatas terre in tenemento dicte ville que et quas habuerunt ex donacione quondam domini hugonis Giffard aui mei domini ville predicte · Tenendum et habendum dictis Religiosis et eorum assignatis de me et heredibus meis cum omnibus libertatibus asyamentis commoditatibus et pertinenciis suis tam non nominatis quam nominatis infra villam predictam et extra in liberam puram et perpetuam elemosinam sine aliquo retinemento · Concedo etiam pro me et heredibus meis quod dicti Religiosi et eorum assignati habeant infra dominium meum dicte ville sex boues et quatuor vaccas cum eorum sequelis duorum annorum sexaginta oues et duos equos omni tempore anni · Volo etiam quod dicti religiosi et eorum assignati liberi molant ad molendinum meum dicte ville sine multura de blado quod· creuerit infra tenementum predictum et quod sint proximiores post illud bladum quod fuerit in tremulo quotiens cunque venerint nisi bladum meum vel heredum meorum venerit ibidem antequam tremulum vacuetur et tunc post bladum meum vel heredum meorum statim molent ante omnes alios nichil pro hiis omnibus alicui facientes aliquo tempore propter orationes · Ego uero Johannes predictus et heredes mei predictum toftum et croftum et predictas duas bouatas terre cum omnibus et singulis suis pertinenciis predictis viris religiosis et eorum assignatis contra omnes Warantizabimus acquietabimus et defendemus in perpetuum In cuius rei testimonium presenti carte sigillum meum apposui · Testibus dominis Patricio de dunbar Comite de Marchie Roberto de keth marescallo Scotie · Alexandro de setoun patre Roberto de lawedir patre Justicario laudonie Militibus Ricardo de Barde. Johanne de turribus Nicholayo tripenay Radulpho Goldyng et aliis. •

A contemporary copy on parchment. The original is among the Melrose Charters, *cf.* Liber de Melros, II., No. 393.

TRANSLATION.

To all who see or hear this charter John Giffard Lord of Yestir Greeting in the Lord : Wit ye that I, for the weal of my soul and those of my wife Eufamia and all my predecessors and successors, have granted, given, and by this my present charter confirmed to God, and the Blessed Mary, the House of Melros, and the Monks serving God therein forever one toft and croft in my town of Yestir foresaid and two oxgangs of land in the tenement of the said town which they hold by the gift of umquhile Sir Hugh Giffard my grandfather, Lord of the foresaid town : To be held and had by the said religious and their assignees of me and my heirs with all liberties, easements, commodities, and pertinents, named or not, within and without the foresaid town, in free, pure, and perpetual alms without any with-holding : Also I grant for me and my heirs that the said religious and their assignees are to keep within the lordship of the said town, six oxen and four cows with their calves of two years, sixty sheep, and two horses during the whole year : I also will that the said religious and their assignees are to grind freely at my mill of the said town without multure of the grain which grows within the said tenement, and that they shall be first after that grain which is being ground whenever they come, unless my grain or that of my heirs happen to come there before the grinding is over, in which case after my grain or that of my heirs, but before all others : Paying nothing for all this to anyone at any time because of their prayers : I the said John and my heirs the said toft and croft, and said two oxgangs of land with all and sundry

pertinents to the said religious and their assignees shall warrand, acquit, and defend for ever against all men : In testimony whereof I have appended my seal to this present charter. Witnesses, *etc.* (*H.*)

23. c. 1330. Omnibus hoc presens Scriptum uisuris uel audituris willelmus de vallibus miles salutem in domino · Nouerit uniuersitas uestra me dedisse concessisse et hac presenti carta mea confirmasse Douenaldo filio Donecani pro homagio et seruicio suo duas bouatas terre in territorio de Middletone · videlicet que iacent inter terram Patricii de haya iuxta viam que ducit ad Thirneopesheued et abuttat super gwynesheleford uersus orientem abuttantem super terram eiusdem Patricii uersus austrum et extendit se in longitudine per eandem viam que est iuxta Thirneopesheued usque ad quandam terram que uocatur le Wetrik decendentum per quandam diuisam in Suthburne ex parte orientali de le merestal et unum tofftum et croftum · videlicet que iacent prope predictas duas bouatas terre secundum diuisas per qua mensurata fuerint et perambulata per me et probos homines de middeltone et aliunde · Tenendas et habendas dicto Douenaldo et heredibus suis de me et heredibus meis libere quiete · Integre · pacifice · plenarie · et honorifice · In moris et in pascuis in planis et mariseis · In stagnis et aquis · in viis et semitis · in petariis et turbariis et cum omnibus aliis pertinenciis libertatibus et aysiamentis ad dictam terram pertinentibus uel de Jure in perpetuum pertinere valentibus infra villam et extra sine aliquo impedimento uel contradiccione cum libero introitu et exitu · Ita quod dictus Douenald et heredes sui habeant infra territorium de middeltone super pasturam quatuor Jumenta · octo boues · et decem vaccas cum sequela earumdem per unum annum · et Sexies viginti matrices oues cum sequela earumdem per unum annum · uel sexies viginti reliquas bidantes · Reddendo inde annuatim mihi et heredibus meis unam liberam (limine) uel duos denarios ad festum sancti michaelis pro omni seruicio consuetudine · secta curie · exaccione seculari uel demanda · et dabunt tricesimum vas multure ad molendinum meum de Middeltone · ego autem Willelmus de vallibus et heredibus meis predictam terram et toftum et croftum cum suis pertinenciis sicut plenius et liberius prolocutum est · predicto Douenaldo et heredibus suis pro predicto seruicio contra omnes homines et feminas in perpetuum Warantizabimus aquietabimus et defendemus · et ad maiorem huius rei securitatem presenti scripto sigillum meum feci apponi in testimonium · Hiis testibus · domino Dauid brun · domino Dauid de fodringya · Johanni giffard · Ricardo de haucherestone · Patricio de hay · Dauid de stobbes · Ricardo clerico de caledouere · Johanni de fodringya clerico · ada swan · et aliis. (*H. and N.*)

Seal appended slightly damaged.

TRANSLATION.

To all who see or hear this present writ William de Vaux, knight, Greeting in the Lord : Wit ye that I have given, granted, and by this my present charter confirmed to Donald Fitz Duncan for his homage and service two oxgangs of land in the territory of Middleton, which lie between the land of Patrick de Haya next the Road which leads to Thirneopesheud and abutts on Gwynesheleford towards the East, abutting on the land of the said Patrick towards the South, and stretching in length by the said road which is next Thirneopesheued to a land called the Wetrik, descending on that boundary to Suthburne on the East side of the Merestal ; With a toft and croft, which lie near the said two oxgangs, bounded as measured and perambulated by me and the good men of Middleton and elsewhere : To be held and had to the said Donald and his heirs of me and my heirs, freely, quietly, wholly, peacefully, fully, and honourably in moors and pastures, plains and marshes, stanks and waters, roads and paths, petaries and turbaries, and with all other pertinents liberties, and easements pertaining or which by right ought to pertain forever to the said land within and without the town, without any hindrance or contradiction with free entry and exit : Also that the said Donald and his

heirs may have within the territory of Middleton on the pasture four beasts of burden, eight oxen, ten cows with their calves, and sixty score ewes with their lambs, or sixty score other animals giving suck yearly: Paying yearly therefor to me and my heirs a free—or two pennies at Michaelmas for all service, custom, suit of court, and secular exactions or demand; and they shall bring thirty measure of multure to my mill of Middleton: Also I, William de Vaux and my heirs shall warrand, acquit, and forever defend the foresaid land and toft and croft with their pertinents, as is more fully and freely described above, to the said Donald and his heirs for the foresaid service against all men and women: And for the greater security of the present writ I have caused my seal to be appended in testimony thereof: Witnesses, *etc.* (*H.*)

24. c. 1340. Omnibus hanc cartam visuris vel audituris Eufamia Giffard sponsa quondam domini Johannis Giffard salutem in domino sempiternam noueritis me In pura viduitate constitutam dedisse concessisse et hac presenti carta mea confirmasse rechardo de dale pro fideli seruicio suo Illam dimidiam carucatam terre cum pertinenciis in tenemento de barow que fuit alexandrj coci per suas rectas diuisas videlicet a domo hospitalis discendendo usque ad vyndenmyr Et sic ascendendo usque ad communem exitum quod tendit ad occidentalem partem de barw Et sic usque ad harlawmore et sic de occidentali parte ipsius exitus vsque ad vadum quod tendit de harlawmore usque ad viam que vocatur fawsyd gait Et sic ascendendo ad situm pontis qui vocatur cachtlamis brighe Et sic ab Illa via usque ad terram que quondam fuit alexandri de stratum Tenendam et habendam dicto rechardo heredibus suis et suis assignatis de me et heredibus meis in feodo et hereditario adeo libere et quiete plenarie et honorifice sicut aliqua feoda firma in regno Scocie liberius quietius plenarius et honorificentius tenetur cum libero Introitu et exitu Et communi pastura Et omnibus aliis asiamentis dicte ville pertinentibus seu pertinere valentibus aliquo modo Volo eciam et concedo quod quoscunque contigerit dictum rechardum heredes suos vel suos assignatos in curia mea amerciari ex quarumquam causa quod soluerit pro cuilibet amerciamento duodecim denarios tantum Reddendo singulis annis Dictus rechardus et heredes sui et sui assignati michi et heredibus meis vnum denarium tantum in villa De barw in festo Sancti kentigerni Nomine feodifirmi si per me vel heredes meos exequator pro secta curie warda releuio et pro omnibus seruiciis consuetudinibus exactionibus et demandis Et pro omnibus alijs quo de dicta terra per aliquam exigi poterint Imperpetuum Volo eciam et concedo quod dictus rechardus heredes sui et sui assignati molent blada sua ad molendinum meum de duncanlaw in multura Et quod sint propinquiores post bladum inventum In tribulo Ego vero eufamia et heredes meos predictam terram cum suis pertinenciis predicto rechardo heredibus suis et suis assignatis contra omnes homines et feminas warantizabimus et defendemus Imperpetuum Hiis testibus Jacobo domino de Dowglas roberto de ketht henrico de sancto claro alexandro de setoun roberto de lawder tunc Justiciario lawdonie willelmo de vetere ponti thoma de bosco militibus Domino willelmo rectore ecclesie de morham Domino alexandro ecclesie de barw tunc magistro monialium de hadingtoun rechardo de bard godfrido byrin et aliis. (*H. and N.*)

A paper copy in 15th century hand, backed "Coppie of laird dailis charter given be eufam giffert. 34."

TRANSLATION.

To all who see or hear this charter Eufamia Giffard, spouse of umquhile Sir John Giffard, Greeting in the Lord everlasting: Wit ye that I, in my pure widowhood, have given, granted and by this my present charter confirmed to Richard de Dale for his faithful service that half carucate of land with pertinents in the tenement of Barow, which belonged to Alexander Cook, by its right bounds, namely, descending from the hospital to Vydenmyr, thence ascending to the common exit which leads to the west side of Barw, thence to Harlawmore, thence from the west side of the said exit to the ford which leads from

Harlawmore to the road called Fawsyd gait, thence ascending to the site of the bridge called Cachtlamis Brighe, and thence from that road to the land which once belonged to Alexander de Stratum : To be held and had to the said Richard and his heirs and asignees from me and my heirs in fee and heritage as freely and quietly, fully and honourably, as any other fee-firm in the realm of Scotland is held with free entry and exit, common pasture, and all other easements which pertain or ought to pertain in any manner to the said town : I will also and grant that whenever the said Richard his heirs or assignees shall happen to be fined in my court from whatever cause that he shall pay in full for each fine 12 pence : Paying each year the said Richard his heirs and assignees to me and my heirs one penny in the town of Barw at the Feast of S. Kentigern in name of fee-firm, if asked by me or my heirs, for suits of court, ward, relief, and all services, customs, exactions, and demands, and for everything else which can be exacted from the said land : I will also and grant that the said Richard his heirs and assignees may grind their grain at my mill of Duncanlaw in multure, and they shall be next after harvest in grinding : I the said Eufamia and my heirs shall warrand and defend the said land with its pertinents to the said Richard his heirs and assignees against all men and women for ever : Witnesses, *etc.* (*H.*)

25. 8th Sept. 1346. *Notarial Copy, see No.* 67A, *of the following Charter :* Dauid dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem Sciatis nos dedisse concesisse et hac presenti carta nostra confirmasse Patricio Flemymg dilecto et fideli nostro officium vicecomitis tocius vicecomitatus de Tweddale vna cum ducatu hominum tocius vicecomitatus predicti : Tenendum et habendum eidem Patricio et heredibus suis de nobis et heredibus nostris in feodo et herediatæ libere quiete plenarie integre et honorifice cum feodis et liberis consuetudinibus quibuscunque ad dictum officium spectantibus seu iuste spectare valentibus in futurum quoquo modo : In cuius rei testimonium presenti carte nostre sigillum nostrum precepimus apponi : Testibus ; Roberto Senescallo Scocie nepote nostro ; Johanne Ranulphi comite Morauie domino vallis anandie et mannie consanguineo nostro ; Patricio de Dunbar Comite Marchie ; Malcolmo Flemyng Comite de Wigtoun ; et thoma de Carnoto Cancellario nostro Scocie ; Militibus : Apud Striuelyn octauo die Septembris Anno regni nostri decimo octauo (8 *Sept.* 1346).

TRANSLATION.

David, by the grace of God, King of Scots to all good men of his whole land Greeting : Wit ye that we have given, granted, and by this our present charter confirmed to our faithful lovit Patrick Fleming the office of Sheriff of all the sheriffdom of Tweddale with the command of the men of all the foresaid sheriffdom : To be held and had by the said Patrick and his heirs of us and our heirs in fee and heritage freely, quietly, fully, wholly, and honourably with feofs and whatsoever free customs pertaining or which ought justly to pertain in any way to the said office in future : In testimony whereof we have caused our seal to be appended to this our present charter : Witnesses, *etc.* At Stirling 8th day of September in the 18th year of our reign. (*H.*)

26. 1350. Hoc scriptum conuencionis editum apud Haddingtoun die Martis proxima ante festum Sancte trinitatis anno Domini Millesimo CCCmo quinquagesimo testatur quod facta fuit hec conuencio inter nobilem virum et discretum hugonem Giffard dominum de yestir ex parte vna / et thomam dictum Goldharis et hugonem pistorem burgenses de haddingtoun ac tenentes dicti hugonis domini de yestir in vico de Giffardgatis ex altera videlicet quod dictus hugo dominus de yestir pro Salute anime sue / predecessorum et successorum suorum concessit / dedit et confirmauit ad fundamentum / posicionem et constructionem finis orientalis pontis de haddingtoun duo tenementa duas particatas terre continencia / in fine boriali vici de Giffardgat ex parte

occidentali iacencia / tenenda et habenda dicta tenementa libere / quiete / pacifice et honorifice de me (se) et heredibus meis (suis) et assignatis quibuscunque inperpetuum vsui et sustentacioni dicti pontis cum libero introitu et exitu omnibus dictum pontem frequentare volentibus / pro quaquidem concessione / et libera confirmacione dicti thomas Goldharis et hugo pistor tenetur et fide media firmiter obligantur dicto hugoni domino de Yestir in duodecim denariis argenti soluendis annuatim eidem heredibus suis vel suis assignatis aut eorum ministris nomine eorumdem ad duos anni terminos per equales medietates ad festa pentecostes et Santi martini in hyeme sine vlteriori dilacione / aut alia prorogacione dolo / fraude vel malo ingenio Et si contingat dictos thomam et hugonem heredes suos et assignatos vel aliquos alios terras et tenementa infra dominium de Giffardgath qualitercunque occupaturos eosdem contingentia in solucione dictorum duodecim denariorum annuatim ut premittitur soluendorum in toto vel parte deficere quod absit obligant se / terras suas et tenementa vn vniuersa infra dictum dominium de Giffardgat et aliunde existencia / heredes suos et assignatos ac omnia bona sua mobilia et immobilia vbicunque locorum fuerint inuenta infra dominium domini regis et extra fore distringenda / capienda / abducenda / et ad voluntatem dicti hugonis domini de yestir heredum suorum / et assignatorum ac ministrum eorumdem quocunque fore vendenda licentia nullius ministri ad hoc petita vel optenta / quousque dicto hugoni domino de yestir heredibus suis vel suis assignatis aut ministris tam de dampnis iacturis et interesse si que vel quas sustinuerint vel incurrerint occasione dicti pecunie ad terminos prescriptos non solute quam de debito principali plenarie fuit satisfactum nullo proponendo obstante in contrarium Dictus vero hugo dominus de yestir heredes sui et assignati dictas duas particatas terre Stacioni pontis predicti Warandizabunt acquietabunt ac contra omnes gentes inperpetuum defendent / In cuius rei testimonium parti huius indenture penes prefatos thomam dictam Goldaris et hugonem pistorem / heredes suos et assignatos remanenti et inperpetuum remansure / sigillum predicti hugonis domini de yestir est appensum parti vero penes predictum hugonem dominum de yestir / heredes suos et assignatos remanenti ac inperpetuum remansure quia thomas dictus Goldharis et hugo pistor sepedicti ad confectionem presencium sigilla propria non habuerunt / Sigillum commune burgi de haddingtoun ad instanciam suam apponi procurarunt. Data et acta die loco et anno supradictis. (*H. and N.*)

TRANSLATION.

This writ, issued after a compact at Haddington, Tuesday after Feast of Holy Trinity A.D. 1350, bears witness that this agreement was come to between a noble and discreet man Hugh Giffard, Lord of Yester, on one part, and Thomas called Goldharis and Hugh Baker, burgesses of Haddington and tenants of the said Hugh Lord of Yester in the village of Giffardgatis on the other, namely that the said Hugh, Lord of Yester, for the weal of his soul and those of his predecessors and successors gave, granted and confirmed to the foundation, site, and construction of the east end of Haddington Bridge two tenements containing two pieces of land in the north end of the village of Giffardgat lying on the west side: The said tenements to be held and had of him and his heirs and assignees whatsoever for ever for the benefit and upkeep of the said bridge with free entry and ish to all wishing to use the said bridge; for which grant and free confirmation the said Thomas Goldharis and Hugh Baker are held and firmly obliged by common faith to the said Hugh Lord of Yester to pay twelve silver pennies yearly to him, his heirs or assignees or their servants in their name in equal portions at two terms of the year, at the feasts of Pentecost and Martinmas, without further delay, or other extension, deceit, fraud, or malingine: And if it befalls that the said Thomas and Hugh their heirs and assignees or any other occupiers whatsoever of the lands and tenements within the lordship of Giffardgath fail to pay in part or whole the yearly sum of the said twelve pennies, which awanting, they do oblige them that their whole lands and tenements, within the said lordship of Giffardgat and elsewhere, their heirs and assignees and all their movable and immovable goods wherever they will be found within and without the King's realm can be destrained, taken, removed, and sold at the wish of the said Hugh

Lord of Yester his heirs and assignees or their servants whatsoever without asking and obtaining the licence of any official until the said Hugh Lord of Yester his heirs or assignees or their servants are fully satisfied of expenses incurred and interest, if any are sustained or incurred by reason of the non-payment of the said money at the foresaid terms and of the principal due no-one offering any obstacle in the contrary: The said Hugh Lord of Yester, his heirs, and assignees will warrand, acquit, and forever defend the said two pieces of land to the site of the said bridge against all people: In testimony whereof the seal of the foresaid Hugh Lord of Yester is appended to the part of the indenture to remain forever in possession of the said Thomas called Goldharis and Hugh Baker and their heirs and assignees: And to the part to remain for ever with the foresaid Hugh Lord of Yester and his heirs and assignees, because the said Thomas called Goldharis and Hugh Baker have no proper seals for the completing of these presents, the Common Seal of Haddington at their instance they caused to be appended: Dated and done, day, place, and year above mentioned. (*H.*)

26A. 26th Feb. 1361/2. A confirmatioun grantit be George Erl of Merch of the evidentis maid to William Muir and Neill Cunnungham of the daitt, the 26 Feb. 1361. *No.* 7, 1619 *Belton Inventory.* (*H.*)

27. 18th June 1366. Omnibus ad quos presentes littere pervenerint Radulphus de hoeme dominus de Nethirakehed in Cunynghame Willelmo filio Henrici balliuo meo de Nethirakehed Salutem / tibi precipio et mando quatinus visis presentibus sine dilacione saysinam hereditariam deliberacione facias Nigello de Cunynghame secundum tenorem carte sue de omnibus terris meis de Nethirakehed cum pertinenciis presences tibi reminebunt pro Waranto In cuius rei testimonium Sigillum meum presentibus apposui. Apud Loghmaban die sabatti octauo decimo die Junij Anno domini Millesimo cccmo lxvjo. (*H. and N.*)

TRANSLATION.

To all to whose notice these letters do come Ralph de Hoeme, Lord of Nethirakehed in Cunynghame, to William Henryson my baillie of Nethirakehed Greeting: I charge and command thee on sight of these presents without delay to give heritable sasine to Nigel de Cunynghame, in terms of his charter, of all my lands of Nethirakehed: These presents will remain with thee as a warrant: In testimony whereof I have appended my seal to these presents: At Loghmaben, Saturday, 18th day of June 1366 A.D. (*H.*)

27A. 5th August 1366. Tua chartouris of ane annuelrent of 45 merkis sterling out of Beltoun and Pitkockis grantit be William Muir of Monihaggen in favouris of Neill Cunninghame of the daitt the 5 of August 1366. *Nos.* 3 *and* 4 *of* 1619 *Belton Iuventory.* (*H.*)

28. 1369-1385. Omnibus hanc Cartam visuris vel audituris · Georgius de Dunbar Comes Marchie et dominus Vallis Anandie et de Man Salutem in domini sempiternam Nouerit vniuersitas vestra nos · dedisse · concessisse · et hac presenti carta nostra confirmasse dilecto et fideli nostro · Nigello de Conyghame pro homagio · et seruicio suo · totas terras nostras de Beltona · et de Kynpalet cum pertinenciis infra Comitatum nostrum Marchie · iacentes · Quas quidem terras de Beltona et de Kynpalet cum · pertinenciis Willelmus More de Monyhagne · dominus earumdem · coram pluribus et sufficientibus testibus nobis cum fusto · et baculo sursum reddidit · ac omne ius et clameum que ipse Willelmus in dictis terris de Beltona et de Kynpalet cum pertinenciis habuit vel habere potuit · pro se et heredibus suis · inperpetuum quietum-clamauit et in manus nostras pure et simpliciter resignauit · Tenendas et habendas omnes predictas terras cum pertinenciis · prefato Nigello heredibus suis et suis assignatis de nobis et heredibus vel successoribus nostris Comitibus

Marchie in feodo et hereditate · In boscis · et planis · pratis pascuis · et pasturis · Moris Marresiis ; Aquis · Stagnis · Molendinis · Multuris · et eorum Sequelis · cum tenandriis de Edyntona que tenetur de Beltona et cum officiis ffabri et braciatricis aucupacionibus venacionibus et piscariis · Et cum omnibus aliis commoditatibus libertatibus et aysiamentis tam sub terra quam supra terram tam non nominatis quam nominatis ad dictas terras spectantibus vel aliquo modo · spectare iuste valentibus in futurum · Adeo quiete · libere · et honorifice · in omnibus et per omnia sicut dictus Willelmus More · et antecessores sui ipsas terras de Beltona et de Kynpalet cum pertinenciis de nobis vel predecessoribus nostris Comitibus Marchie liberius quietius · plenius · et honorificentius aliquo tempore tenuerunt seu possiderunt ffaciendo inde dictus Nigellus et heredes sui et sui assignati Nobis et heredibus vel successoribus nostris Comitibus Marchie illa · et eadem seruicia que dictus Willelmus More et antecessores sui pro dictis terris de Beltona et de Kynpalet facere consueuerunt et debite tenebantur · Nos vero predictus Georgius et heredes nostri predictas terras de Beltona et de Kynpalet predicto Nigello de Conynghame et heredibus suis et suis assignatis · contra omnes homines et feminas Warantizabimus acquietabimus et inperpetuum defendemus In Cuius Rei testimonium presenti carte nostre sigillum nostrum fecimus apponi Hiis testibus reuerendo in Christo patre · domino Willelmo de Lavndels · Episcopo Sancti Andree · dominis Archebaldo de Dovglas · domino Galwydie · ex orientali parte aque de Creych · Jacobo de Douglas domino de Dalket · Willelmo de Dischyngtona · Militibus · magistro Johanne de Caroun · Rectore ecclesie de Racheu · magistro Roberto Bel perpetuo vicario de Karale · Alexandro de Ryklyntona · Roberto Leche Clerico nostro · et Multis aliis. (*H. and N.*)

Seal appended entire, but slightly defaced.

TRANSLATION.

To all who see or hear this charter George de Dunbar, Earl of March and Lord of Annandale and Man, Greeting in the Lord everlasting : Wit ye that we have given, granted, and by this our present charter confirmed to our beloved and faithful Nigell de Conyghame for his homage and service all our lands of Belton and Kynpalet with pertinents, lying within our Earldom of March, which said lands of Belton and Kynpalet with pertinents William More of Monyhagne, Lord thereof, before many and sufficient witnesses with staff and baton resigned to us, and all right and claim, which the said William had or could have in the said lands of Belton and Kynpalet with pertinents for himself and his heirs he quitclaimed forever and in our hands purely and simply resigned : All the said land with pertinents to be held and had by the said Nigell his heirs and assignees of us and our heirs or successors, Earls of March, in fee and heritage, in woods and plains, meadows, fields and pastures, moors, marshes, waters, stanks, mills, multures, and their sequels with the tenandries of Edynton which are held of Belton, and with smithies, brewhouses, hawkings, huntings, and fishings, and with all other commodities, liberties, and easements, beneath and above the earth, named or not, belonging to the said lands, or by any means justly belonging in future, as quietly, freely, and honourably in all and by all as the said William More and his ancestors at any time held or possessed the said lands of Belton and Kynpalet with pertinents of us or our predecessors, earls of March : Rendering therefor the said Nigell, his heirs, and assignees to us and our heirs or successors the same service as the said William More and his ancestors were accustomed to render for the said lands of Belton and Kynpalet and they have been duly held : We forsooth the foresaid George and our heirs shall warrand, acquit, and forever defend the said lands of Belton and Kinpalet to the said Nigell de Conynghame, his heirs, and assignees against all men and women : In testimony whereof we have caused our seal to be appended to this our present charter : Witnesses, *etc.* (*H.*)

29. 1369-1385. A duplicate of the foregoing, also sealed. In it all reference to Kynpalet is omitted, otherwise, except for a few small variations, it is the same as No. 28. (*H.*)

29A. 24th Feb. 1369/70. Instrument of resignation of the Landis of Castelhill of Durisder be William Fotheringæ in favouris of Neill Cunninghame of the daitt the 24 of february 1369. *No.* 5, 1619 *Belton Inventory.* (*H.*)

29B. 24th June 1370. Ane obligatioun maid be Patrik Polwart of that Ilk in favouris of Neill Cunninghame of the daitt the day of St. Jon baptist 1370. *No.* 6, 1619 *Belton Inventory.* (*H.*)

30. 9th March 1373/4. Hec indentura facta Apud Drumfres nona die mensis Marcii Anno domini Millesimo CCCmo septuagesimo Tercio Inter Gilbertum filium quondam domini Johannis filii lachlani militis ex parte vna et Nigellum de Conyngham ex parte altera Testatur videlicet quod dictus Gilbertus dedit et concessit ac pro se et heredibus suis sursum reddidit domino regi terras tenementa et libertates suas cum pertinenciis in baronia de Glenkarne infra vicecomitatum de Drumfres Jacentes ad infeodandum hereditarie predictum Nigellum heredes et assignatos suos in dictis terris et tenandriis cum pertinenciis quibuscunque pro quibus concessione et resignacione predictus Nigellus obligatur predicto Gilberto in quatuor viginti marcas auri vel argenti et vaccis fetis ad tempora infra scripta soluendas intrante termino prime solucionis videlicet viginti marcas auri vel argenti in die confectionis presencium et ad festum Sanctorum Philippi et Jacobi immediate post datum presencium Sequentes in vaccis fetis viginti marcatas secundum quod tempore se habent tunc in patria ad precium et ad festum Pentecosten proximo inde sequentes viginti marcas in auro vel argento et ad festum sancti martini in yeme proximo inde sequentes viginti marcas in auro vel argenti (Nichil ominus dictus Gilbertus manebit in dictis terris pro toto tempore vite sue et habebit liberum tenementum) Exitibus Curiarum exceptis que mediatum inter prescriptum Gilbertum et Nigellum diuidetur Eciam dictus Nigellus habebit possessionem omnium Silvarum predictarum terrarum a tempore confectionis presencium libere exceptis edificiis infra dictum dominium construendis que per uisum ballivi vel seriandi liberabuntur Et etiam dictus Nigellus faciet omnia seruicia forenceca et intrenceca domino regi Justiciario vel Vicecomiti de drumfres de dictis terris debita et consueta pro toto tempore vite sue et seruabit dictum Gilbertum ac homines suos indempnes In Cuius rei Testimonium Sigilla predictorum Gilberti et Nigelli alternatim sunt appensa Data die loco et anno supradictis hiis testibus fratre Johanne de maxistona Waltero Auenell et Willelmo del Mureheued cum multis aliis. (*H. and N.*)

TRANSLATION.

This indenture made at Drumfres, ninth day of the month of March 1373 A.D. between Gilbert, son of umquhile Sir John MacLachlan knight, on one part and Nigel de Conyngham on the other bears witness that the said Gilbert gave, granted, and for himself and his heirs resigned up to the Lord King his lands, tenements, and liberties with pertinents, lying in the Barony of Glenkarne and shire of Drumfres, to infeft heritably the said Nigel his heirs and assignees in the said lands and tenandries with pertinents whatsoever; For which grant and resignation the said Nigel is obliged to pay to the said Gilbert four score marks, gold or silver, and cows in calf at the times underwritten; the first payment at term of entry, namely twenty marks in gold or silver at the day of making of these presents; and at the feast of SS. Philip and James, immediately following, cows in calf to the value of twenty marks, at the price they then obtain in the country; and at the feast of Penticost immediately following twenty marks in gold or silver, and at the feast of Martinmas immediately following twenty marks in gold or silver [nevertheless the said Gilbert will remain on the said lands for all the days of his life and have the freehold] exits of Courts excepted which shall be divided equally between the foresaid Gilbert and Nigel: Also the said Nigel will have possession of all the woods of the said lands free from the time of the making of these presents except the buildings to be constructed within the

said lordship which shall be freed at the sight of the baillie or serjeant : And also the said Nigel is to render all service, forinsec and intrinsec, to the Lord King, Justiciar, or Sheriff of Drumfres due and wont from these lands for all his life and will keep the said Gilbert and his men immune : In testimony whereof the seals of the foresaid Gilbert and Nigel are alternately appended. Dated day, place, and year above written : Witnesses, *etc.* (*H.*)

31. 10th March 1373/4. Vniuersis has litteras visuris vel audituris Gilbertus filius quondam domini Johannis filii lachlan militis Salutem Nouerit vniueritas vestra me ex certa sciencia et de bona causa fecisse constituisse et ordinasse facere constituere et ordinare dilectos amicos meos Johannem mercere Burgensem de Perth et Andream filium eius ac Robertum de Suyntona attornatos et procuratores meos vices meas habentes tam in genere quam in specie dando eisdem vel eorum duobus aut vni meam plenariam potestatem coniunctim et divisim in solidum ad sursum reddendum nomine et ex parte mea cum fusto et baculo pureque et simpliciter resignandum totas terras meas Baronie de Snade cum pertinenciis infra vicecomitatum de Drumfres in Manis Excellentissimi principis ac domini nostri domini Roberti dei gracia regis Scotorum illustris vna cum omni iure et clameo que Ego Gilbertus vel heredes mei quicunque in dicta Baronia cum pertinenciis habeo vel habent potero vel poterint infuturum ex aliquo titulo siue iure prout in litteris meis resignatoriis exinde confectis plenius continetur Ratum et gratum habentem et habiturum quicquid predicti Johannes Andrea et Robertus eorum duo vel vnus nomine et ex parte mea fecerint vel fecerit in premissis vel aliquo premissorum In Cuius rei testimonium presentibus Sigillum meum est appensum Datas Apud drumfres Xmo die mensis marcii Anno domini millesimo CCCmo Septuagesimo Tercio. (*H. and N.*)

TRANSLATION.

To all who see or hear these letters Gilbert, son of umquhile Sir John MacLachlan knight, Greeting : Wit ye that I, from sure knowledge and of good cause, have made, constituted, and ordained, and do make, constitute, and ordain my beloved friends John Mercer burgess of Perth, Andrew his son, and Robert de Suynton my attorneys and procurators, having my power in all and sundry, giving each and all of them my full power conjunctly and severally in full to give up in my name and behalf with staff and baton and purely and simply resign all my lands of the Barony of Snaid with pertinents in Drumfriesshire into the hands of the most excellent prince and our lord Robert, by the grace of God, illustrious King of Scots with all right and claim which I the said Gilbert, or my heirs whatsoever have in the said Barony with pertinents, or could have in future by any title or right as is more fully set out in my letters of resignation made thereupon : Whatever the said John, Andrew and Robert, or two, or one of them, in my name and behalf will do in these matters or any of the matters will be held valid and thankful : In testimony whereof my seal is appended to the presents : Dated at Drumfres 10th day of the month of March A.D. 1373. (*H.*)

32. 17th March 1374/5. Vniuersis presentes Litteras visuris vel audituris Nigellus de Cvnynghame dominus de yestyr salutem in domino sempiternam Noueritis me Johannem de Leys del Bothanys fecisse legaliter summonire ad ostandum mihi cartas suas et euidencias quibus clamauit de me tenere terras suas del Bothanys Gamylstona et de Duncanlaw cum pertinenciis et per quod seruicium Qui vero Johannes ad quendam diem sibi prefixum venerat mihi cartas suas et euidencias ostensurus quas propter alias occupaciones necessarias adtunc videre non volens eidem Johanni alium diem Legalem assignaui (mihi) dictas suas euidencias ostensuro / et antequam dictus dies aduenerit predicte carte et euidencie sue ut dixit cum aliis bonis suis fuerant combuste ad quem nichilominus diem dictus Johannes venerat certificans multis aliis et mihi cartas suas et euidencias fuisse combuste mihi caritatis intuitu humilter supplicando quod sibi vellem concedere assisam proborum et fidelium ad inquirendum et recognoscendum tenorem cartarum et euidenciarum suarum predictarum Ad

cuius instanciam ob dei amorem inclinans dedi et concessi dicto Johanni assisam in loco que vocatur Catcluch infra territorium de Duncanlaw sextodecimo die mensis marcii anno domini Millesimo CCCmo lxxmo quarto ad cognoscandum super premissis et ex nostri vtriusque consensu pro perpetuo determinandum ad quem vero diem summonire feci omnes tenentes meos baroniarum de Morhame Duncanlaw / et Yestyr / alios proceres patere quam barones ad instanciam meam venire que rogaui De quibus cum consensu et assensu Jonete Giffard sponse mee mecum dictis die et loco sedentis super premissis fideliter inquirendis et finaliter ut premittitur determinandis assisam elegi ad quam assisam siue inquisicionem fuerant ordine et forma nominati uocati et magno interuenienti sacramento iurati Johannes de Spottyswod tunc temporis constabularius constabularie de Hadyngtona Dauid Broun dominus de Cumbyrcolstona Willelmus de Caudela dominus de Stevynstona / Thomas de fforesta Johannes Yhole burgenses de Hadingtona / Maliseus de Duns Willelmus filius Ade de Kydlaw Willelmus de Crumby burgensis de Hadyngtona Willelmus de Trauernent rector scolarum dicti burgi Johannes del Dale Jop Wyntyr Johannes Penyfadyr et Johannes filius Bricij Coram quibus iuratis ego dictus Nigellus a dicto Johanne de Leys tenente meo castri Wardam / Merchet Heryelde / et alia onera secularia que michi et consilio meo protunc videbantur exigenda petieram Que omnia dictus Johannes se pro terris suis debere penitus denegans et cum magna instancia exorans peciit omnes comoditates libertates et aysiamenta dictis terris suis pertinenciis vna cum seruiciis et oneribus inde debitis per dictam assisam pro dei amore declarari et finaliter determinari Qui iurati tunc se retraxerunt et inter ipsos diuturnam qui diligenti collacionem super premissis habitam ad presenciam meam vxoris mee memorate et Curie redierunt et per Johannem de Spottyswod predictum vnum dicte assise siue inquisicionis in quam omnes pro suo veredicte dicendo in vnum consencientes ostenserunt quod dictus Johannes de Leys et antecessores sui fuerunt vestiti et saysiti per quondam dominum Johannem Gyffard dominum de Yestyr de duabus terris cotagiis cum pertinemciis iacentibus in villa et territoriis del Bothanys et de Gamylstona et de (vno prato) quod vocatur Avymsinedv et cum omnibus aliis comoditatibus libertatibus et aysiamentis ceteris que iustis pertinenciis suis quibuscunque prout iacent in longitudine et latitudine per suas rectas metas et antiquas diuisas in Moris Maresiis turbariis / petariis viis semitis boscis planis et omnibus communibus aysiamentis in communi pastura cum libero introitu et exitu cum brasina pistrina carnificis del Bothanys et quod sunt Romefre in molendino del Bothanys immediate post dominum soluendo inde vnam ferlotam de Celdra et quod sunt liberi de Bludewyt merchet Heryelde Castri Warda et omni secta Curie soluendo inde nomine quondam dicti domini Johannis Gyffard domini de yestyr et heredum suorum dictus Johannes de Leys et heredes sui monasterio de Dryburght sex solidos et octo denarios sterlingorum annuatim ad festa Pentecostes et sancti Martini in Hyeme per equales porciones in puram et perpetuam elimosinam nomine albe ferme tantum pro omnibus aliis seruiciis secularibus exactionibus et demandis que de dictis terris et tenandriis cum pertinenciis exigi poterint in futurum quovis modo vel requiri Et eciam dixerunt quod dictus dominus Johannes et heredes sui predictis terris del Bothanys et Gamylstona cum prato supradicto ac omnibus aliis aysiamentis supradictis predicto Johanni de leys et heredibus suis contra omnes mortales Warantizabunt acquietabunt in forma premissa in perpetuum et defendent Dixerunt eciam quod dictus Johannes de Leys possidet hereditagia sibi et heredibus suis per confirmacionem quondam domini Thome de Morhame militis domini eiusdem vnum tenementum in villa et territorio de Duncanlaw quod antiquitus vocabatur ffodringhamysland cum suis pertinenciis secundum quod iacent in longitudine et latitudine per suas rectas et antiquas diuisas cum communibus aysiamentis in communi pastura in Moris maresiis turbariis petariis boscis planis viis semitis cum libero introitu et exitu et erunt Rumefre in molendino immediate post domino soluendo tantum vnam firlotam de Celdra et quod tenet dictum tenementum libere de Blvdewyte Merchet et Heryelde Castri Warda et secta Curie / et quod ulli —— communicabunt infra suum Severel a festo Inuencionis sancte Crucis usque ad festum omnium sanctorum Soluendo inde domino de Morhame et heredibus suis duodecim denarios argenti annuatim ad festum sancti Martini in Hyeme s

petatuntur nomine albe firme (tantum) pro omni alio seruicio seculari quod inde exigi poterit in futurum quouis modo vel requiri Quod quidem tenementum quod vocatur ffodrynghamysland cum pertinenciis suis supradictis predictus dominus de Morhame et heredes sui predicto Johanni de Leys et heredibus suis contra omnes mortales Warandizabunt in forma premissa in perpetuum et defendent Dixerunt eciam quod idem Johannes de Leys tenet et habet vnum tenementum in eadem villa de Duncanlaw quod vocabatur antiquitus terra quondam Thome filii mariote cum predictis condicionibus omnibus Soluendo inde annuatim domino de Morhame et heredibus suis vnum denarium argenti si petatur ad festum beati Martini nomine albe firme tantum pro omnibus aliis seruiciis secularibus que inde exigi poterint quovis modo vel requiri In quorum omnium et singulorum testimonium sigillum meum vna cum sigillis Johannis de Spottyswod domini eiusdem tunc temporis constabularii constabularie de Hadyngtona Willelmi de Caudela domini de Stevynstona Dauid Broun domini de Cvmbyrcolstona Thome de fforesta Johannis yhole et Willelmi de Crumby burgensium de Hadyntona et sigillum Willelmi de Trauernent magistri scolarum dicti burgi presentibus sunt appensa die loco et anno supradictis. (*H. and N.*)

Seal of Cunynghame and Broun still appended in fair condition.

TRANSLATION.

To all who see or hear these present letters I, Nigel de Cunynghame, Lord of Yestyr, give Greeting in the Lord everlasting: Wit ye that I have caused John de Leys of the Bothanys to be legally summoned to shew me his charters and evidents by which he claimed to hold of me his lands of the Bothanys, Gamylston, and Duncanlaw with pertinents and by what service, which said John came at a certain day assigned to him to shew me his charters and evidents, to look at which on account of other important matters I was then unwilling, and assigned the said John another lawful day to shew me his said evidents; and before the said day arrived his foresaid charters and evidents, as he alledges, with his other goods were burned, on which day nevertheless the said John compeared certifying to me and many others that his charters and evidents had been burned and humbly begged that I induced by charity, should grant him an inquest by true and faithful men to search for and inspect the terms of his foresaid charters and evidents: At whose desire, led by the love of God, I gave and granted the said John an assize in the place called Catcluch in the territory of Duncanlaw upon the 16th day of the month of March 1374 A.D. to inquire into the matter and by our final consent to determine it for ever; to which day I caused summon all my tenants of the Baronies of Morhame, Duncanlaw, and Yestyr to shew others, gentlemen as well as barons, whom I requested to come at my desire: Upon which with the consent and assent of Jonet Giffard my wife, sitting with me on the said day and place to faithfully inquire and finally, if possible, to determine the question, I chose an assize, to which assize or inquest in order and form were named, called, and sworn by the great oath, John de Spottyswod present constable of the Constabulary of Hadyngton; David Broun Lord of Cumbyrcolston; William de Caudel lord of Stevynston; Thomas de Forest, and John Yhole burgesses of Hadyngton; Malise de Duns; William Adamson of Kydlaw; William de Crumby burgess of Hadyngton; William of Tranent rector of the schools of that town; John of the Dale; Jop Wyntyr; John Penyfadyr; and John Fitz Brice; Before which jurors I the said Nigel asked from the said John de Leys my tenant Castleward, Merchet, Heryeld, and other secular burdens which then appeared to me and my council to be due, all which the said John utterly denied were due from his lands and pleading with great vehemence demanded that all the commodities, liberties, and easements pertaining to his said lands with the services and burdens due thence should be decided upon and finally determined by the said assize for the love of God, which jurors then retired and after diligently holding long discussion upon the matter among themselves returned to the presence of me, my foresaid wife, and the Court, and by John de Spottyswod foresaid, one of the said assize or inquest in which all agreeing upon their verdict, they found that the said John de Leys and his ancestors were vested and seized by

umquhile John Giffard, Lord of Yestyr, in two acres of cotland with pertinents lying in the town and territory of the Bothanys and Gamelston and a meadow called Auymsinedu with all other commodities, liberties, easements, and certain just pertinents as they lie in length and breadth by their right bounds and old marches in moors, marshes, turbaries, petaries, roads, paths, woods, plains, and all common easements in common pasture with free entry and ish with the brewhouse and bakehouse of the hangman of the Bothanys, and that they are room-free in the mill of the Bothanys immediately after the lord : paying therefor one firlot of wheat and that they are free from Bludwyt, Merchet, Heryeld, Castleward, and all suits of court ; paying therefor in name of the said umquhile Sir John Giffard, Lord of Yestyr, and his heirs the said John de Leys and his heirs To the Monastery of Dryburgh six shillings and eightpence sterling yearly in equal portions at the feasts of Pentecost and Martinmas in pure and perpetual alms in name of blanch-firm for all other services, secular burdens, and demands which could be levied or in future demanded in anyway from the said lands and tenandries : And that they also found that the said Sir John and his heirs will warrand, acquit, and forever defend in due form the said John de Leys and his heirs against all mortals in the foresaid lands of the Bothanys and Gamylston with the foresaid meadow and all other foresaid easements ; And they also found that the said John de Leys and his heirs possess by heritance by the confirmation of umquhile Sir Thomas de Morham, knight, Lord of that Ilk, a tenement in the town and territory anciently called Fodringhamsland with its pertinents as they lie in length and breadth by their right and old bounds with common easements in common pasture, moors, marshes, turbaries, petaries, woods, plains, roads, paths, with free entry and ish and they are room-free in the mill immediately after the lord ; paying in full a firlot of wheat, and that he holds the said tenement free of Bludwyt, Merchet, Heryeld, Castleward, and suits of court, and that they all —— will share within his several from the feast of the Invention of the Cross to the feast of All Saints ; Paying therefor to the Lord of Morhame and his heirs twelve silver pennies yearly at the feast of Martinmas, if asked, in name of blanch-firm in full for all other secular service which could be levied thence or in future by any method required, which said tenement called Fodringhamsland with its pertinents foresaid the said Lord of Morhame and his heirs will warrand in due form and forever defend to the foresaid John de Leys and his heirs against all mortals : They found also that the said John de Leys holds and has a tenement in the same town of Duncanlaw, anciently called the land of umquhile Thomas Mariota's son with all the foregoing conditions ; Paying thence yearly to the Lord of Morhame and his heirs a silver penny, if asked, at the feast of Martinmas in name of blanch-firm in full for all other secular services which could be levied thence or in any way demanded : In testimony of all and sundry the foregoing my seal with the seals of John de Spottyswod, lord of that Ilk present constable of the Constabulary of Hadyngton ; William de Caudel lord of Stevynston : David Broun lord of Cumbyrcolston ; Thomas de Foresta, John Yhole ; and William de Crumby burgesses of Hadyngton ; and William of Tranent master of the schools of that town are appended to these presents, day, place, and year foresaid. (*H.*)

32A. 10th April 1376. A procuratorie of resignation of the Landis of Westbernis and utheris in the handis of King Robert of the daitt, 10 of Apryll 1376. *No.* 8, 1619 *Belton Inventory.* (*H.*)

32B. 6th Nov. 1376. A chartour of alienation of the Landis of Westbernis and utheris be Patrick Polwart in favouris of Neill Cunninghame, daitit the 6 Nov. 1376. *No.* 9, 1619 *Belton Inventory.* (*H.*)

33. 6th Dec. 1380. Robertus dei gracia Rex Scottorum / Omnibus probis hominibus tocius terre sue clericis et laicis Salutem Sciatis nos dedisse concessisse et hac presenti carta nostra · confirmasse archibaldo de Cunynghame

filio Nigelli de Cunynghame totam baroniam de Snade cum pertinenciis infra vicecomitatum de drumfres que fuit dicti nigelli et quam idem Nigellus non vi aut nretu ductus nec errore lapsus Sed mera et spontanea voluntate sua nobis per fustum et baculum sursum reddidit pure · et simpliciter resignauit · ac totum ius · et clameum que in dicta baronia cum pertinenciis habuit vel habere potuit · pro se et heredibus suis omnino quietum clamauit in perpetuum Tenendam et habendam eidem archibaldo et heredibus suis masculis de corpore suo legitime procreandis / quibus deficientibus heredibus dicti Nigelli legitimis quibuscunque / de nobis (*et*) successoribus nostris in feodo et hereditate · per omnes rectas metas et diuisas suas / cum omnibus et singulis libertatibus commoditatibus et asiamentis · ac iustis pertinenciis quibuscunque ad dictam baroniam cum pertinenciis spectantibus / seu quovis modo · iuste spectare valentibus in futurum · adeo libere et quiete · plenarie integre · et honorifice / in omnibus et per omnia / sicut dictus nigellus · dictam baroniam cum pertinenciis · de nobis ante resignacionem suam nobis exinde factam / liberius et quietius · plenius integrius et honorificencius / iuste tenuit seu possedit · ffaciendo inde seruicia debita et consueta · In Cuius Rei testimonium presenti carte nostre nostrum precipimus apponi Sigillum · / Testibus venerabilibus in Christo patribus Willelmo et Johanne · Cancellario · nostro · Sanctiandree et dunkeldensis ecclesiarum episcopis / Johanne primogenito nostro · de Carric Senescallo Scocie / Roberto de fyff et de Menteith filio nostro dilecto / Willelmo de Douglas et de Marr · consanguineo nostro / comitibus / Jacobo de Lyndesay nepote nostro · Carissimo / et Alexandro de Lyndesay consanguineo nostro / militibus / Apud Edynburgh / Sexto die decembris / Anno Regni nostri decimo. (1380.) (*H. and N.*)

Fragment of Great Seal appended, in bad condition.

TRANSLATION.

Robert by the grace of God, King of Scots. to all good men, cleric and lay, of his whole land Greeting : Know ye that we have given, granted, and by this our present charter confirmed to Archibald de Cunynghame, son of Nigel de Cunynghame, all the barony of Snade with pertinents within the shire of Drumfres, which was the said Nigel's, and which the said Nigel, not led by force nor fear, nor lapsed in error, but from his mere and free will, resigned purely and simply with staff and baton to us ; and all right and claim he had or could have to the said barony for himself and his heirs fully quitclaimed forever : To be held and had by the said Archibald and his heirs male to be procreated of his body, whom failing the lawful heirs whomsoever of the said Nigel, of us and our successors in fee and heritage by its right marches and bounds with all and sundry liberties, commodities, easements, and whatever just pertinents belonging to or by any way which ought to belong in future to the said barony, as freely and quietly, fully, wholly, and honourably in all and by all the said Nigel, before this resignation herein made to us, justly held or possessed the said barony : Rendering therefor service due and wont : In tesimony whereof we have caused our seal to be appended to this our present charter : Witnesses, *etc.* (*H.*)

34. 20th Oct. 1386. Per hanc Indenturam cunctis pateat euidenter quod Adam de Edynetona dominus eiusdem assedauit et ad firmam dimisit domino Nigello de Cvnynghame domino de Beltona totam terram suam de Edynetona iacentem cum pertinenciis in Comitatu Marchie infra vicecomitatum Berwyci pro toto termino vite ipsius Ade a datu presentis Tenendam et habendam dicto domino Nigello heredibus suis et assignatis cum omnibus commoditatibus libertatibus et aysiamentis ac iustis pertinenciis quibuscunque ad dictam terram spectantibus et quomodolibet spectare valentibus in futurum libere quiete plenarie et integre tempore predicto persistente Et dictus dominus Nigellus ex sua mera voluntate assedabit et ad firmam dimittet firmariis totam predictam

terram de Egynetona cum pertinenciis meliori modo quo potuerit cum consensu et visu Patricii de Nesbyt domini de Ester nesbyt et henrici de Brothwyk ad commodum dicti Ade / et omnes firmas et emolumenta quas de dictis terris leuauerit vel leuare poterit medio tempore ex sua voluntate dabit dicto ade vel assignatis suis ad ipsius Ade sustentacionem sine more dispendio fraude vel dolo quocunque Et quandiu dictus dominus Nigellus nullas firmas vel emolumenta ad sustentacionem dicti Ade sufficientes de dictis terris propter guerram querere potuerit annuatim ex sua pura voluntate durante tempore predicto dicto Ade ad ipsius sustentacionem decem marcas sterlingorum accomodabit ad ipsius Ade necessitatem indilate Et dictus Nigellus et heredes sui tenebit vel tenebunt totam predictam terram de Edynetona cum pertinenciis in manibus suis quousque ipse vel ipsi totam summam pecunie quam ipse dicto ade ad ipsius sustentacionem alias accomodauerit de eadem terra leuauerit vel leuauerint sine fraude / vel dolo per heredes dicti Ade eidem Nigello vel heredibus suis de dicta pecunie summa plenarie fuerit satisfactum (*sic*) Et concordatim est inter partes predictas quod dictus Adam nec heredes sui nec aliquis nomine eorumdem totam predictam terram suam de Edynetona nec aliquem sui partem vendat vendent impignorabit impignorabunt dabit dabunt assedabit assedabunt incomodabit incomodabunt nec aliquo alio modo aliam vel aliquibus tempore medio alienabit nec alienabunt sine licencia dicti domini Nigelli vel heredum suorum capitalis domini sui predicte terre sue cum pertinenciis Ad que omnia et singula in omnibus punctis suis et articulis forma pariter et effectum fideliter et firmaliter obsueruanda dictus Adam tactis sacrosanctis ewangelis iuramentum prestitit corporale In cuius rei testimonium presentibus Indenturis alternatim sigilla parcium sunt appensa Datam apud Hadyngtona xx^mo^ die mensis Octobris anno domini Millesimo CCCmo Octogesimo sexto. (*H. and N.*)

TRANSLATION.

By this Indenture may it be plainly patent to All that Adam de Edyneton, lord of that Ilk, has rented and let at rent to Sir Nigel de Cunnynghame, Lord of Belton, all his land of Edyneton, lying with pertinents in the Earldom of March within the shire of Berwick, for the duration of the said Adam's life, from the date of this present: To be held and had by the said Sir Nigel his heirs and assignees with all commodities, liberties, easements, and just pertinents whatsoever belonging to or which ought to belong in anyway to the said land in future freely, quietly, fully, and wholly during the said time: And the said Sir Nigel out of his mere wish rented and let at rent by rents all the said land of Edyneton with pertinents in the best manner which can be with the consent and at the sight of Patrick de Nesbyt, lord of Estir Nesbyt, and Henry de Borthwick for the benefit of the said Adam, and all the rents and emoluments which he will have levied or be able to levy from the said lands at any time he will give to the said Adam or his assignees for the keep of the said Adam without delay, cost, fraud, or deceit whatever: And when the said Sir Nigel can get no rents or profits sufficient for the keep of the said Adam from the said lands on account of war he will pay yearly from his free will during the said time to the said Adam for his keep 10 marks sterling without delay for the necessaries of the said Adam: And the said Nigel and his heirs will hold all the foresaid land of Edyneton with pertinents in their possession until they will have raised from the said land all the sum of money which they will have paid to the said Adam for his keep without fraud or deceit on the part of Adam's heirs and the said Nigel and his heirs fully satisfied of the said sum: And it is agreed between the said parties that the said Adam, his heirs, or anyone else in their name may not sell, nor wadset, give, rent, burden, nor in any way at any time alienate all the said land of Edyneton nor any part thereof without the licence of the said Sir Nigel and his heirs, lords in chief of the said land with pertinents: Firmly to observe all and sundry the above in all its points and articles as well in letter as in deed the said Adam took his personal oath touching the Holy Evangels: In testimony whereof to these presents Indentures the seals of the parties are alternately appended: Dated at Hadynton, 20th day of the month of October, A.D. 1386. (*H.*)

35. 1386. In dei nomine amen Anno a natiuitate euisdem Millesimo CCCmo lxxxmo sexto Indictione Octaua pontificatus Sanctissimi in Christo patris ac domini nostri domini Clementis diuina prouidencia pape Septimi anno Septimo In mei notarii publica et testium subscriptorum presencia ad hoc vocatorum constitutus discretus vir dominus patricius gray dominus partis capitalis baronie de Langforgrund pro tribunali sedens in villa de Langforgrund super quemdam montem qui dicitur hundhyll et quemdam processum Ibidem in vltima sua curia ductum super terris de litiltona et de louranstona de Octhtercummane publice legi fecit quo lecto dominum Thomam de haya tanquam porcionarium in capite terrarum de Lytiltona de Louranstona de octhtercummane vocare fecit in continente qui quidem dominus thomas humiliter comparuit petens declaracionem assise prout in vltima curia precedenti Ibidem fuerat determinata quomodo et per quod seruicium predicte terre de lytiltona de louranstona de Octhtercummane de dicto domino patricio gray tenebantur // ad quod vero predictus dominus patricius consilio peritorum plenius auisatus assisam proborum fecit leuari per quos rei veritas patenter poterat declarari quibus vero Juratis et assisa plenius determinata curiam intraverunt dicentes et promulgantes quod predicte terre de lytiltona de louranstona de Octhtercummane de dicto domino patricio gray tenentur in capite per Wardam releuium homagium et seruicium hoc facto et promulgato prefatus dominus patricius gray a dicto domino Thoma peciit homagium et seruicium sibi fieri pro parte sua predictarum terrarum prout Ibidem in assisa per fide dignos fuerat determinata ad quod prefatus dominus thomas respondens dixit quod pro terris de litiltona de louranstona de octhtercummane cum pertinenciis homagium faceret quod vero wult ordo Juris vt dixit et ad hoc se obtulit promptum et paratum hoc responsio prefatus dominus Patricius patenter coram astantibus denegauit dicens quod vlterius quam pars sua predictarum terrarum extenderet ipsum non receptaret hoc dicto prefatus dominus thomas respondit et dixit quod dictus dominus patricius in plena curia promisit ipsum pro terris de litiltona de louranstona de Octhtercummane recipere in quantum quod ordo Juris in se postulat et requirit Ad quod vero prefatus dominus patricius concessit ipsum receptaret in quantum wlt ordo Juris // hoc petito et plenius in forma prescripta concesso prefatus dominus thomas in forma debita coram prefato domino patricio flexis genubus comparuit capite denudato dicens Ibidem pro verba de presenti homagium sibi facere pro terris de litiltona de louranstona de Octhtercummane quas de ipso tenet in capite // quod quidem homagium prefatus dominus patricius noluit receptare nisi homagium facere diuisim sibi declararet pro terris quas de dicto domino patricio tenet in capite infra terras de litiltona de loursantona de ochtercummane cum pertinenciis quod vero prefatus dominus patricius thomas facere negauit eo quod prius promisit ipsum recipere ad homagium faciendum vt postulat ordo Juris et hoc non fit ergo homagium diuisim eo quod fuit inconueniens facere recusauit protestatus et offerans se tunc et omni tempore futuro homagium facere Juridice promptum et paratum Super quibus omnibus et singulis prefatus dominus Thomas a me notario publico publicum requisiuit instrumentum Acta sunt hec apud langforgrund loco quo supra Presentibus discretis viris dominis thoma de haya constabulario scocie dauid de lyndesay de glenesk alano de Erskyne Militibus Johanne rollok Willelmo de camera et pluribus aliis testibus ad premissa vocatis specialiter et rogatis

"*Locus Signi*" Et ego nicholaus allatesse clericus Sancti Andree dyocesis publicus et apostolica auctoritate notarius predictis omnibus et omnibus dum vt premittitur agerentur et fierent vna cum prenominatis testibus presens fui eique sic fiere vidi audiui et signum meum consuetum apposui rogatus et requisitus in testimonium omnium premissorum. (*H. and N.*

TRANSLATION.

In the name of God, Amen! In the year 1386 from the birth of Our Lord, eighth Indiction, and seventh year of the pontificate of the Most holy father in Christ and our lord Clement VII. by divine providence Pope, in presence of me

the notary public and the underwritten witnesses summoned to this present constitute a discreet man Sir Patrick Gray Lord of the head part of the barony of Langforgrund sitting in judgement in the town of Langforgrund upon a certain mound called Hundhyll and there a certain process continued from his last court upon the lands of Litilton and Louranston of Ochtercummane he caused to be publicly read, which read he instantly caused summon Sir Thomas de Haya on behalf of the heiresses portioners in chief of the lands of Lytilton of Louranston of Ochtercummane, which said Sir Thomas humbly compeared asking the verdict of a jury, as in the preceeding court it was determined, in what manner and by what service the said land of Lytilton *etc.*, are held of the said Sir Patrick Gray: Whereupon the said Sir Patrick, fully advised by the counsel of experts, caused choose a jury of good men by whom the truth of the matter can be declared, who being sworn in and the jury fully fixed upon, they entered the court saying and delivering that the said land of Lytilton *etc.* is held in chief of the said Sir Patrick Gray by Ward, relief, homage, and service: This done and announced the said Sir Patrick Gray asked the said Sir Thomas to do him homage and service for his part of the said lands as it had been determined in assize by the trusty men, to which the foresaid Sir Thomas replying said that he would do the homage for the lands of Litilton *etc.* with pertinents which the letter of the law requires, as he said, and to this he offered himself prompt and prepared: This reply the foresaid Sir Patrick openly refused before the bystanders, saying that farther than his part of the said lands extended he would not admit him, which said the foresaid Sir Thomas replied and said that the said Sir Patrick promised in full court to receive him for the lands of Litilton *etc.*, in as far as the letter of the law therein demanded and required: To which the said Sir Patrick agreed and entered him in as much as the letter of the law requires: This sought for and more fully granted in prescribed form the foresaid Sir Thomas in due form compeared before the foresaid Sir Patrick kneeling with bare head and offering *verba de presenti* to do homage for the lands of Litilton *etc.*, which he held of him in chief; which said homage the foresaid Sir Patrick refused to receive unless he said that he did him part homage for the lands which he held in chief of the said Sir Patrick within the lands of Litilton *etc.*, which indeed Thomas refused to do because the said Sir Patrick at first promised to receive him to do homage as the letter of the law demands and, this not being accepted, he refused to do homage in part because it was not convenient, protesting and offering himself then and at all future time prompt and ready to do lawful homage: Upon which all and sundry the foresaid Sir Thomas demanded from me the notary public an instrument: Done at Langforgrund in the above place: Witnesses, etc.: And I Nicholas Allatesse clerk of S. Andrews diocese, notary public by apostolic authority *etc.* (*H.*)

36. 19th July 1387. In dei nomine amen per presens publicum Instrumentum cunctis pateat euidenter quod anno dominj Millesimo Tricentesimo octuagesimo septimo Indictione decima pontificatus sanctissimi in Christo patris et domini nostri domini Clementis diuina prouidencia pape septimi anno nono mensis Julii die xixa in domo capitulari Monasterii de abirbrothok sancti andree diocesis In mei notarii publici et subscriptorum testium presencia personaliter constitutus Venerabilis vir Magister Johannes de lychtona officialis curie Sanctiandree / Ex commissione speciale Reuerendi in Christo patris domini Walteri dei gracia Sanctiandree / Episcopi vt assuerit pro tribunali sedendo / assistentibus sibi quam pluribus viris nobilibus et peritis fecit ad suam presenciam conuocari Religiosum virum fratrem Andream ordinis (Sancte) trinitatis de Redempicione captiuorum et discretum virum dominum dauid de Stryflyn ibidem presentes / Necnon venerabilem patrem dominum Walterum abbatem de Cupro ordinis cisterciensis Sanctiandree diocesis / ad audiendam sententiam diffinitivam ordinacionem et decretum super ecclesia parochialia de Ketnes eiusdem Sanctiandree diocesis quam quilibet pertinere predictorum sibi vendicione voluit et ad se pertinere assuerit per suas euidencias et instrumenta que eidem domino Episcopo exhibuerat Et quamuis Idem abbas sepius vocatus et ad horam debitam expectatus nullo modo comperere curasset

Ipse tamen officialis Nomine quo supra iuxta desiderium huius diei prout in actis cause precedentibus continetur / sententiam suam ordinacionem seu decretum in quadam cedula papirea quam tenebat contenta perlegit Cuius tenor sequitur et est talis Nos Johannes de lichton Officialis curie Sanctiandree pro tribunali sedentes in domo capitulari Monasterii de abirbrothok Sanctiandree diocesis quem locum ad hoc elegimus / attentis et consideratis instrumentis Juribus et munimentis in hac causa productis habitoque consilio cum dominis prelatis et diuersis Juris peritis de Speciali mandato domini Episcopi Sanctiandree per hanc nostram sententiam et ordinacionem pronunciamus decernimus et declaramus dictam ecclesiam de Ketnes cum suis Juribus et pertinenciis vniuersis pertinnisse pertinere / et pertinere debere ad ordinem sancte trinitatis de redempcionem cap(tiuorum) —— que per magistrum pontis berwyci et fratres eiusdem ordinis regenda et gubernanda f—— ex commissione ministri generalis eiusdem ordinis vel alterius p—— —— —— —— tenus consuetum Quamdamque ecclesiam cum suis pertinenciis et suis possessionem eidem ordini et fratribus eiusdem ac fratri Andree magistro pontis berwyci domino nostro (rege?) tenienti adherenti reddendam et restituendam fore et quantum possimus reddimus et restituimus / Ipsem que ordinem et fratres ipsius ad eius possessionem corporalem cum pertinenciis restituendos et reintegrandos fore et restituimus ac reintegramus predictos que abbatem conuentum de Cupro necnon magistrum Dauid de Strevelyn a dicta ecclesia cum pertinenciis et eius possessione amonendos fore et amonemus / ipsis que super eadem et ipsius possessione / perpetuum silencium inponendum fore et inponimus / Condempnacionem expensarum et financiarum omittentes ex De quaquidem Sentencia sic per dominum officialem ut predicitur perlecta dictus frater Andreas per me notarium publicum Infrascriptum sibi peciit fieri publicum Instrumentum Acta fuerunt hec anno Indictione mense die pontificatu et loco quibus supra presentibus venerabilibus et discretis viris domino Willelmo de hadingtoun perpetuo vicario eiusdem domino thoma de balmanach capellano Johanne fforman Johanne trayl et thoma moffet Sancti Andree et abirdonensis diocesis testibus ad premissa vocatis specialiter et rogatis Et in firmum testimonium permissorum sigillum dicti domini officialis presentibus est appensum.

"*Locus Signi.*" Et ego Thomas de Edenham clericus abirdonensis Diocesis publicus auctoritate Imperiali notarius dum premissa modo quo supra agerentur et fierent una cum prenominatis testibus presens interfui hoc que publicum instrumentum inde confeci cui consuetum signum meum apposui in testimonium veritatis rogatus specialiter et requisitus. (*H. and N.*)

The tag and seal have been torn away. The parchment is in bad condition, worn and in holes, and the ink has faded.

TRANSLATION.

In the name of God, Amen! By this present public Instrument be it plainly patent to all That, in the year of Our Lord 1387, tenth indiction, ninth year of the pontificate of the most holy father in Christ and our lord Clement VII. by divine providence, Pope, and 19th day of the month of July: In the Chapter House of the Monastery of Arbroath in the diocese of S. Andrews, and in presence of me the notary public and the underwritten witnesses a Venerable man Master John de Lychton, Official of the Court of S. Andrews, by virtue of his special commission from the Reverend father in Christ Sir Walter by the grace of God, Bishop of S. Andrews, sitting in judgement, several noble and learned men assisting him, caused summon to his presence a religious man, Friar Andrew of the Order of the Holy Trinity for Redemption of Captives, and a discreet man Sir David de Stryflyn, both present, and also a venerable father Sir Walter, Abbot of Cupar of the Order of Citeaux, to hear final sentence, ordinance, and decreet upon the Parish Kirk of Ketness in the said diocese of S. Andrews, which each of the foresaid parties claimed to pertain to him by sale and asserted to pertain to him by his evidents and instruments which he had shewn to the said Bishop: And, although the said

Abbot was summoned very often and tarried for until the appointed hour, he neglected to compear by any manner, therefore the said Official in name as above, in terms of the petition for this diet, as is contained in the former acts on this cause, read his sentence, ordinance, or decreet contained in a paper schedule which he held, whose tenour follows thus:—We John de Lichton, Official of the Court of S. Andrews, sitting in judgement in the Chapter House of the Monastery of Arbroath in the diocese of S. Andrews, which place we chose for the purpose, the instruments, rights, and muniments produced in this cause having been examined and considered, and counsel taken with my lords the prelates and diverse rights sought for at the especial command of my lord Bishop of S. Andrews: By this our sentence and ordinance we pronounce, decern, and declare, that the said Kirk of Ketnes with its rights and all pertinents has pertained, pertains, and ought to pertain to the Order of Holy Trinity for Redemption of Captives —— which is ruled and governed by the Master of the Bridge of Berewick and the Friars of that Order —— by commission from the Minister General of that Order or another —— —— —— —— which Kirk with its pertinents and possessions To the said Order, and the Friars thereof, and Friar Andrew Master of the Bridge of Berwick, holding of and adhering to our lord the King, shall be returned, and restored; and so far as we are able we return and restore; And the said Order and Friars thereof shall be restored to, and replaced in personal possession thereoof with its pertinents; And we restore and replace them: And we warn the foresaid Abbot and Convent of Cupar, and Master David de Strevelyn from the said kirk with its pertinents and the possession thereof; And we impose perpetual silence on them concerning this possession, omitting penalty of expenses and costs: Upon the sentence thus read by the Lord Official as above the said Friar Andrew asked a Public Instrument to be made by me the Notary public withinwritten: These acts were done here in the year, indiction, month, day, pontificate, and place abovewritten: Witnesses these venerable and discreet men, Sir William of Hadingtoun vicar thereof, Sir Thomas de Balmanach chaplain, John Forman, John Trayl, and Thomas Moffet of the dioceses of S. Andrews and Aberdeen, Specially called and summoned to the premises: and in sure testimony of the above the seal of the said Lord Official is appended. And I Thomas de Edenham, clerk of the diocese of Aberdeen, notary public by Imperial authority, while the premises were being done as above, was present along with the above-named witnesses; and have made hereupon this public instrument, to which I have appended my usual sign in testimony of verity as specially summoned and required. (*H.*)

37. c. 1390. Omnibus hanc Cartam visuris vel audituris · Robertus ffilius hugonis dominus de Donovane Salutem in domino sempiternam · Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta mea confirmasse · nobili viro domino thome de haya de lochorwart Militi · totam terram que vocatur gowrlayis land in tenemento de barw infra baroniam de doncanelaw cum pertinenciis · Tenendam et habendam totam terram predictam cum pertinenciis dicto domino thome et heredibus suis · sine aliquo retenemento michi vel heredibus meis in hac parte · de dominis capitalibus eiusdem terre in feodo et hereditate libere quiete plenarie integre et honorifice per omnes rectas metas et diuisas suas in boscis et planis pratis et pascuis · moris et marresiis aquis et stagnis cum communi pastura et omnibus aliis libertatibus commoditatibus et aysiamentis et Justis pertinenciis quibuscunque tam non nominatis quam nominatis tam sub terra quam supra terram in omnibus et per omnia ad dictam terram spectantibus seu spectare valentibus in futurum · Adeo libere quiete plenarie integre et honorifice · Sicut ego dictus robertus uel aliquis predecessorum meorum dictam terram cum pertinenciis liberius quietius plenius integrius et honorificencius tenui uel tenuit · posedi uel possedit · ffaciendo inde annuatim dictus thomas et heredes sui · dominis capitalibus eiusdem terre seruicium pro eadem debitum et consuetum · In cuius rei testimonium presenti carte mee Sigillum meum apposui · hiis testibus · Malcolmo ffleming patricio grahame Willelmo grahame · Alexandro grahame militibus · Willelmo de haya

1403890

· Willelmo boide · Johanne boide · Johanne de Geddas et multis aliis (*H. and N.*)

Seal appended in good condition.

TRANSLATION.

To all who see or hear this charter Robert Fitz Hugh Lord of Donovane Greeting in the Lord everlasting: Wit ye that I have given, granted, and by this my present charter confirmed to a noble man Sir Thomas de Haya of Lochorwart, knight, all the land called Gowrlayis land with pertinents, in the tenement of Barw, within the Barony of Doncanelaw: To be held and had by the said Sir Thomas and his heirs without any withholding by me or my heirs of the head lords of the said land in fee and heritage freely, quietly, fully, wholly, and honourably, by its right bounds and marches in woods and plain, meadows and pastures, moors and marshes, waters and stanks with common pasture and all other liberties, commodities, easements, and just pertinents whatsoever, named or not, under or above the earth, in all or by all belonging to or which ought to belong to the said land; as freely, quietly, fully, wholly, and honourably, as I the said Robert or anyone of my predecessors held or possessed the said land: Rendering therefor yearly the said Thomas and his heirs service due and wont for the said land to the head lords thereof: In testimony whereof I have appended my seal to this my present charter: Witnesses, *etc.* (*H.*)

38. 1395. Presens indentura testatur quod cum longa quedam controuersia mota fuisse inter reuerendos et religiosos viros dominos abbatem et conuentum monasterij de Melros ex parte vna et nobiles viros dominos Thomam de la Hay ac Malcolmum flemyg Milites ex parte altera super diuino officio apud kingilduris per dictos religiosos peragendo tandem per tractatum amicabilem inter partes vtrasque concordatum est sub forma que Sequitur videlicet quod iidem religiosi facient duas missas qualibet septimanai nter primam horam diei et nonam celebrari per vnum capellanum conducticum in loco predicto de kingilduris vnam scilicet die dominico et alteram aliquo die festo Si et quum contigerit in ebdomida quum vero contigerit tunc die mercuri veneris aut sabbati prout commodius fieri poterit Sit quod idem capellanus non teneatur nisi ad voluntatem suam ibidem residere Et misse iste fient ibidem sine defectu fraude et omissione nisi ob communem guerram hominum pestilencia seu personarum ac capellanorum paucitatem in regno Scocie vel aliam racionabilem et grandem causam dicte due misse vt prefertur intermitti compellantur Postea vero temporis oportunitate captata et predictis defectibus per diuinam clementiam cessantibus secundum racionis et discretionis considerationem eedem misse vt predictum est rite et debite perimplebuntur vna cum cotidiana missa pro defunctis in dicto monasterio ad illud altare in quo memoria de la fraseris frequentari solebat vel ad aliud altare si ipsum destructum fuerit aut non paratum celebranda memoriter pro anima domini Simonis fraser militis primi donatoris dictarum terrarum et pro animabus omnium antecessorum et successorum suorum ac omnium fidelium defunctorum Pro omnino alio seriucio exactione calumpnia seu demanda que de predictis terris de kingilduris et hopkarthijn cum pertinenciis per dictos milites heredes eorumdem ministros quoscunque executores vel assignatos seu quoslibet alios nomine et ex parte eorumdem exigi poterunt quomodolibet vel requiri Et ad hec fideliter peragenda iidem religiosi obligant easdem terras suas de kingilduris et hopkarthum fore legaliter distringendas per predictos milites et heredes seu ministros eorumdem si preter casus prenotatos dicte misse fuerint omisse quosque de eisdem sufficienter et racionabiliter per visum fidedignorum fuerit satisfactum Ipsi vero milites pro se et heredibus suis executoribus et assignatis promiserunt sponte et fideliter manuceperunt quod istas condiciones facient integre ex parte eorumdem obseruari et hiis tantummodo contenti erunt sine aliquo gravamine calumpnia vexacione et litis strepitu qualitercumque eisdem religiosis presentibus et futuris vel terris aut eorumdem tenentibus inperpetuum inferendis In quorum

omnium testimonium vni parti presentis Indenture penes predictos milites remanenti Sigillum commune Monasterii prefati de Melros vna cum Sigillo Domini Abbatis eiusdem est appensum Alteram vero partem penes prefatos religiosos remanentem predicti Milites Suis Sigillis Sigillauerunt Anno Domini Millesimo CCCmo Nonagesimc quinto.

INDORSED.

Ane Indentour betuix the abbot and convent of melros on the ane parte and Thomas hay and lord flemying on the uther parte.

Seal of the abbot still appended in fair condition : legend "S. dauid de benyn abbatis de melros."

TRANSLATION.

This present Indenture bears witness that, after a long controversy had been waged between the reverend and religious men, the Abbot and Convent of the Monastery of Melrose, on the one part ; and the noble men, Sir Thomas de la Hay and Malcolm Flemyg knights, on the other, anent the performing of divine service by the said religious at Kingilduris, it is finally by friendly compact agreed upon between the parties as follows in this form ; namely, that the said religious cause two masses weekly when they please to be celebrated between the first and ninth hours of the day by a stipendiary chaplain in the foresaid place of Kingilduris, one on Sunday and the other on a feast day except when it falls in Ebdomida then on Wednesday, Friday, or Saturday as he will be able to do it ; and the said chaplain shall not hold them unless at his own will he resides there ; and these masses will be done there without defect, fraud, and omission, unless on account of general war, pestilence among men, or scarcity of parsons or chaplains in the realm of Scotland, or other reasonable or great cause the foresaid two masses are forced to be discontinued ; thereafter, the opportunity of the times taken and the foresaid defects removed by divine clemency, according to reason and discretion the said masses as above will be performed ceremoniously and properly along with a daily mass for the dead in the said monastery at the altar used frequently in memory of the Frasers or at another altar, if the first is destroyed or not prepared for celebration, in memory of the soul of Sir Simon Fraser knight, first donor of the said lands, and for the souls of all his ancestors and successors and all the faithful dead for all other service, exaction, burden, or demand which can be asked for the said lands of Kingilduris and Hopkartkin with pertinents by the said knights, their heirs, servants whomsoever, executors, or assignees, or anyone in their name and behalf : And to perform this faithfully the said religious cause their said lands of Kingilduris and hopkarthin to be liable to be distrained upon by the said knights, their heirs or servants, if, on account of the abovenoted reasons, the said masses are omitted, until they are satisfied from the said lands sufficiently and reasonably at the sight of trustworthy men : The said knights for themselves, their heirs, executors, and assignees have promised and freely and faithfully undertaken that they will cause the said stipulations to be fully observed on their part and will instantly satisfy the said religious, present and future, without other unjust demand vexation and noise of strife whatever ; or render their lands or tenants liable forever : In testimony of all which the Common Seal of the said Monastery of Melrose with the seal of the Lord Abbot thereof is appended to that part of the present Indenture to remain with the foresaid knights : the other part to remain with the said religious the foresaid knights have sealed with their seals : A.D. 1395. (*H.*)

39. 1395-1399. Omnibus hanc cartam visuris vel audituris Willelmus de haya dominus de louchquorwart et de hoprew Salutem in domino sempiternam Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta mea confirmasse dilecto consanguineo meo Johanni de geddesse pro humagio et servicio suo Omnes terras meas videlicet decem bouatas terre una cum dimidia parte unius terre que vocatur cotlande et sexta parte molendini in villa et domineo de

thankertona Infra vicecomitatum de lanerk cum pertinenciis tenendas et habendas dictas decem bouatas cum dicta dimidia parte que vocatur cotlande et sexta parte molendini predicti cum pertinenciis predicto Johanni de geddesse et heredibus suis masculis de corpore suo legittime procreandis quibus deficientibus Andree de geddesse secundo filio fratris predicti Johannis et heredibus suis masculis de corpore suo legittime procreandis quibus forsan deficientibus veris et legittimis heredibus prefati Johannis de me et heredibus meis dominis de hoprew in feodo et hereditate imperpetuum libere quiete plenarie integre et honorifice per omnes rectas metas et diuisas suas in boscis et planis pratis et pascuis moris marracijs aquis stangnis piscationibus et aucupationibus viis et semitis fabrinis bracinis et eorum sequelis cum curiis curiarumque exitibus finibus et escatis mercetis et bludewytis cum multura ad sextam partem molendini predicti pertenenti Et cum omnibus redditibus quibuscumque michi infra dictam villam de thankertona seu domineum debitis annuatim ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis et Justis pertinentibus quibuscumque tam nominatis quam non nominatis tam sub terra quam supra terram in omnibus et per omnia ad dictas decem bouatas et dimidiam partem de cotlande et sextam partem molendini predicti infra dictam villam et domineum de thankertona spectantibus seu spectare valentibus quomodolibet in futurum adheo libere quiete plenarie integre et honorifice sicut ego dictus willelmus vel aliquis predicessorum meorum dictas terras et partem molendini cum pertinenciis de domino nostro rege liberius quietius plenius integrius et honorificensius tenui seu tenuit poscedi vel poscedit faciendo inde annuatim dictus Johannes geddesse et heredes sui predicti servicium domini nostri regis pro eisdem decem bouatas terre debitum et consuetum tantum pro aliis serviciis secularibus exactionibus questionibus seu demandis que per me uel heredes meos de dictis terris cum pertinenciis exigi poterunt uel requiri Et ego dictus willelmus et heredes mei domini de hoprew omnes terras predictas et partem molendini predicti cum pertinenciis dicto Johanni de geddesse et heredibus suis predictis Contra omnes homines et feminas varantizabimus acquietabimus et imperpetuum defendemus In Cuius Rei testimonium sigillum meum presenti Carte mee est appensum apud louchquorwart hiis testibus Reuerendos et nobilibus viris Jacobo de borthwic archdiacono laudonie willelmo de borthwic domino de ligertwode milite Alano de lawedre Johanne de haya fratre meo Johanne de borthwic willelmo flemyng Johanne fayrle et multis aliis. (*H. and N.*)

Seal appended in good condition. The arms are 3 escutcheons, no quarterings.

TRANSLATION.

To all who see or hear this charter William de Haya, Lord of Louchquorwart and Hoprew, Greeting in the Lord everlasting: Wit ye that I have given, granted and by this my present charter confirmed to my beloved kinsman John de Geddesse for his homage and service all my lands, namely, ten oxgangs of land with the half of a cotland and the sixth of the Mill with pertinents in the town and lordship of Thankerton, Lanarkshire: To be held and had by the said John de Geddesse and the heirs male of his body legitimately to be procreated, whom failing Andrew de Geddesse second son of the brother of the foresaid John and his heirs male, etc., whom failing, the true and lawful heirs of the said John, of me and my heirs, Lords of Hoprew, in fee and heritage forever freely, quietly, fully, wholly, and honourably by all their right bounds and marches in woods and plains, meadows and pastures, moors, marshes, waters, stanks, fishings, and hawkings, roads and paths, smithies, brewhouses, and their sequels with courts, exits of courts, fines and escheats, merchets and bludwytes, with the multure pertaining to the foresaid sixth of the mill, and with all profits whatsoever due yearly to me within the said town or lordship of Thankerton, and with all and sundry other liberties, commodities, easements, and righteous pertinents whatsoever, named or not, beneath or above the earth in all and by all pertaining to or by any means which ought to pertain in future to the said ten oxgangs, half cotland, and sixth of the mill within the said town and lordship of Thankerton, as freely, quietly, fully, wholly, and honourably as I the said William or anyone of my predecessors held or possessed the said land and part

of the mill with pertinents of our lord the King: Rendering therefore yearly the said John Geddesse and his heirs service due and wont to our lord the King for the said ten oxgangs as for other services, secular exactions, questions, or demands which can be asked or required by me or my heirs for the said lands with pertinents and I the said William and my heirs, Lords of Hoprew, will warrand, acquit, and for ever defend all the said lands and part of the mill with pertinents to the said John and his said heirs against all men and women: In testimony whereof my seal is appended to this my present charter at Louchquorwart: Witnesses, *etc.* (*H.*)

39A. 25th July 1396. A procuratorie of resignatioun be Elizabeth Lyndesay of the Landis of West Barnis in the handis of King Robert of the daitt the 25 of Julij 1396. *No.* 10, 1619 *Belton Inventory.* (*H.*)

40. 5th Feb. 1397/8. In nomine domini Amen per hoc presens publicum Instrumentum cunctis pateat euidenter quod anno ab incarnacione eiusdem MmoCCCmo nonagesimo septimo mensis ffebruarii die quinta Indicione sexta pontificatus sanctissimi in Christo patris ac domini nostri domini Benedicti diuina prouidencia pape Xiij anno quarto coram nobila domina domina Joneta de Giffart domina de Zester Willelmo de Sancto claro tunc ballivo suo pro tribunali sedentibus et me notario subscripto et testium infrascriptorum comparuit henricus de Cokbourn cum prolocutori suo Willelmo de Cokbourn domino de Scralyn dicte domine monstravit et publice perlegi fecit quasdam litteras patentes quarum una sub sigillo domini Johannis de Strathavane rectoris ecclesie de Morham de donacione cuiusdam pecie terre capelle de Duncanlaw sigillata et alia littera super assedacionem et suum dimisionem cuiusdam tenementi cum suis pertinenciis quondam Alexandri de Stratoune et sigllo thome de Dun quondam burgensis de hadyngtoune patente sigillata ut asseruit quas litteras sic ostensas et publice perlectas dictus Willelmus dictam dominam nomine et ex parte fratris sui antedicti cum instancia requisivit ut dicta domina dictas terras dictum henricum gaudere permittere voluerit prestauit eciam dictus henricus quod si aliqua bona super predictas terras invenire potuerit ea pro firmis preteritis distringendo voluerit Ad quod dicta domina in presencia plurimorum respondebat dicens quod mulier erat et conselio amicorum suorum ligata fuit et per illo die talibus evidenciis sibi fuerunt ignote Qua propter dicta domina sumptibus suis sub manu publica copias earundem sibi tradi peciit Ita vt concelio suo super hoc consulto infra tempus raconabile illum responsum dare potuerit effectuosum videlicet ante festum Sancte Elene proximo futurum quas copias ei conferre non tenebantur ut asseruerunt nec nellent neque comodum de dictis terris de terminis transactis prolongare vellent post cuiusquidem litterarum presentacionem et dicte domine ipsarum copiarum petitionem ac ipsarum denegacionem prefata domina a me notario publico subscripto sibi fieri peciit publicum Instrumentum Acta sunt hec in plana curia dicte domine de Zester tenta in ecclesiam de Bothanis sub anno die mense Indicione et pontificatu quibus supra presentibus Discretis viris et dominis hugone de Berclay domino de Kylbreny militi Johanne de Strathauane Johanne filio thome et Johanne broune rectoribus ecclesiarum de Morhame Bothanis et de Cranshawys Johanne Zounge de Shirrafe syd hugone de Wode cum aliis testibus ad premissis vocatis specialiter et rogatis.

"*Locus Signi.*" Et ego Johannes de Jedworth clericus Sanctiandree diocesis publicus imperiali auctoritate notarius, *etc.* (*H. and N.*)

TRANSLATION.

In the name of God, Amen! May it be plainly patent by this public instrument that, in the year from the Incarnation of Our Lord 1397, fifth day of the month of February, sixth indiction, and fourth year of the pontificate of the most holy father in Christ and our lord Benedict XIII. by divine providence Pope, Before a noble lady Dame Jonet de Giffart, Lady of Zester, and William

de Sinclair, then her baillie, sitting in judgement, and me the notary, and the witnesses underwritten there compeared Henry de Cokbourn with his prolocutor William de Cokbourn, lord of Scralyn, who shewed to the said lady, and caused to be publicly read certain patents, one sealed with the seal of Sir John de Strathavane, rector of the kirk of Morham, upon the gift of a certain part of the land of the Chapel of Duncanlaw, and another letter upon the assedation and his demission of a certain tenement with its pertinents of umquhile Alexander de Stratoune and plainly sealed with the seal of Thomas de Dun late burgess of Haddyngtoune as he asserted, which letters thus shewn and publicly read, the said William on behalf of his foresaid brother urgently requested the said Lady to permit the said Henry to enjoy the said lands: and the said Henry promised that if he could find any goods on the said lands he was willing that they should be distrained for byrun rents: To which the said Lady in presence of many replied saying that she was a woman and bound by the counsel of her friends and they were ignorant to that day of such evidents, wherefore the said lady asked that copies should be made publicly for her at her own expense thereof, so that counsel upon this having been taken she would be able to give a reply within a reasonable time, namely before the Feast of S. Helen next to come, which copies to give her they were not bound, as they asserted, nor were they willing, nor did they wish to defray the profit of the said lands of the terms past after the presentation of the said letters: upon the desire of the said lady for copies thereof and the refusal thereof, the said Lady asked me the notary public underwritten to make her a public instrument: Done in the open court of the said Lady of Zester, held in the Kirk of Bothans in the year, day, month, indiction, and pontificate as above: Witnesses, *etc.*, specially called and summoned to the premises: And I John de Jedworth, clerk of S. Andrews diocese, notary public by Imperial authority, *etc.* (*H.*)

41. 25th February 1397-8. In dei nomine Amen per hoc presens publicum Instrumentum cunctis Pateat euidenter quod anno ab incarnacione eiusdem Millesimo CCC mo nonagesimo sepitimo mensis ffebruarii die · xxv · Indicione Sexta pontificatus Sanctissimi in Christo patris ac domini nostri domini Benedicti diuina prouidencia pape xiij anno quarto In mei notarii presencia et testium infrascriptorum ad hoc specialiter rogatorum · presencia personaliter constitutus Alexander de Stratouna filius et heres quondam Johannis de Stratoun confessus est in presencia reuerende domine sue domine Jonete de Giffart domine sue superiore terrarum suarum de Duncanlaw quod omnes dictas suas cum pertinenciis sibi hereditarie pertinentes infra dictam villam et territorium de Duncanelaw iacentes plane et omnino venditit cum omni Jure et clameo que dictis terris habuit Alexandro de Cokbourne defuncto quondam domino de langtouna pro quadam summa pecunie sine concensu · uel assensu aut aliqua lecencia domini sue superiore antedicte alienauit confessus fuit et dictus Alexander de Stratoun coram dicta domina et me notaris publico ac aliorum plurimorum quod inter ipsum et dictum Alexandrum de Cokbourne post supradictam vendiscionem dictarum terrarum euidencias assedacionis pro termino nouemdecim annorum predicto Alexandro de Cokbourne fecit et concessit super quibus omnibus et singulis superius enarratis tam de vendiscione et sine concensu domine sue superioris dictarum terrarum alienacione ac et de factura euidencia pro termino supradicto antedicta domina a me notario publico subscripto sibi fieri peciit publicum Instrumentum Acta sunt hec apud Duncanelaw sub anno die mense Indicione et pontificatu quibus supra Presentibus discretis viris et dominis Archebaldo de Cunynghame militi Johanne filio Thome Johanne broun rectoribus ecclesiarum de Cranshawis et Bothanis hugone de prestwik scutifero Johanne Zoung de Shiraffesyd cum aliis testibus ad premissa vocatis et rogatis.

Et ego Johannes de Jedworth clericus Sancti andree diocesis publicus Imperiali auctoritate notarius *etc.* (*H. and N.*)

TRANSLATION.

In the name of God, Amen! May it plainly appear to all by this present public Instrument that, in the year 1397 from the Incarnation of Our Lord, of

the month of February the 25th day, sixth indiction and fourth year of the pontificate of the most holy father in Christ and our Lord Benedict XIII. by divine providence Pope, in presence of me the notary public and the underwritten witnesses specially summoned hither there compeared personally Alexander de Stratoun, son and heir of umquhile John de Stratoun, and confessed in presence of his reverend lady Dame Jonet de Giffart, his Lady Superior of his lands of Duncanlaw, that he had sold and alienated all his lands with pertinents belonging heritably to him lying in the town and territory of Duncanlaw plainly and fully with all right and claim he had in the said lands to the late Alexander de Cokbourne, umquhile Laird of Langtown, for a certain sum of money without the consent or assent or other licence of his foresaid Lady Superior; and the said Alexander de Stratoun confessed before the said Lady Superior, me the notary public, and many others that he made and granted to the foresaid Alexander de Cokbourne after the foresaid sale of the said lands evidences of assedation for the term of 19 years to the said Alexander de Cokbourn: Upon all and sundry this above narrated anent the sale and alienation of the said lands without the consent of his Lady Superior and of the making of evidents for the foresaid terms, the foresaid Lady asked me the underwritten notary to make her a public Instrument: Done here at Duncanelaw in the year, day, month, indiction and pontificate above written: Witnesses, *etc.*: And I John de Jedworth clerk of S. Andrews diocese, notary public by Imperial authority *etc.* (*H.*)

41A. 13th March 1398/9. Minute of an indentour betwene the Archbischop of Glasco and William the Hay Lord (so he is styled) Locherwode anent the kirk of Lyne 13 March 1398. *No.* 1 *of* 1622 *Locharret Inventory* (*not in Reg. Eps. Glasg.*) (*H.*)

42. 15th January 1399–1400. Robertus dei gracia Rex scotorum Reuerendo in christo patri Gilberto eadem gracia episcopo Abirdonensi Cancellario nostro salutem Sciatis quod confirmauimus donacionem et concessionem illas quas Willelmus de haya de lochquorwart et de hopreu fecit et concessit dilecto consanguineo suo Johanni de Geddesse pro homagio et seruicio suo de omnibus terris suis videlicet decem bouatis terre vna cum dimidia parte vnius terre que vocatur coteland et sexta parte molendini in villa et domino de thankartoune cum pertinenciis infra vicecomitatum de lanark Tenendis et habendis dictis decem bouatis cum dicta dimidia parte que vocatur coteland et sexta parte molendini predicti cum pertinenciis predicto Johanni de geddesse et heredibus suis masculis de corpore suo legittime procreandis quibus deficientibus Andree de geddesse secundo filio fratris predicti Johannis et heredibus suis masculis de corpore suo legittime procreandis quibus forsan deficientibus veris et legittimis heredibus prefati Johannis quibuscunque in feodo et hereditate imperpetuum adeo libere et quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut in carta dicti Willelmi sibi inde confecta plenius continetur Saluo seruicio nostro Quare vobis mandamus et precipimus quatenus cartan nostram sub magno sigillo nostro in forma capelle nostre debita dicto Johanni fieri faciatis super confirmacione nostra antedicta Datum sub sigillo nostro secreto apud Edinburgh decimo quinto die mensis January Anno regni nostri Decimo.

TRANSLATION.

Robert, by the grace of God, King of Scots to a Reverend father in Christ Gilbert, by the same grace Bishop of Aberdeen, our Chancellor Greeting: Wit ye that we have confirmed that gift and grant, which William de Haya of Lochquorwart and Hopreu made and gave to his beloved kinsman John de Geddesse for his homage and service, of all his lands namely, ten oxgangs of land with the half of a land called the Coteland and the sixth of the mill in the town and lordship of Thankartoune with pertinents in the shire of Lanark: To be held and had, the said ten oxgangs with the said half called the Coteland

and the sixth of the said mill with pertinents, by the foresaid John de Geddesse and the heirs male to be born lawfully of his body, whom failing by Andrew de Geddesse, second son of the foresaid John's brother, and the heirs male to be born lawfully of his body, whom perchance failing by the true and lawful heirs whomsoever of the said John, In fee and heritage for ever as freely and quietly, fully, wholly, honourably, well and in peace in all and by all as is more fully contained in the charter made thereanent to him by the said William, Reserving our service : Wherefore we command and charge you that you cause a charter to be made under the Great Seal in due form of our Chancery to the said John upon this our above-mentioned confirmation : Given under our Privy Seal at Edinburgh, fifteenth day of the month of January in the tenth year of our reign (10th year of Robert III., 1399). (*H.*)

43. 1400. Be it Knawyne til al yat yis lettir Heris or seis me Tassy of Maxwel lord of ye thrid part of Strathardil til haf graventyt t fullele gyffyne til Dam Johanna gyffart lady of yhest my Eldmodir to by al ye landyis wt ye aptynance qwhilk was vmqwhil John of Statonys lyand wt in ye Barvnry of Dvncanlaw ye qwhilk land was haldyn of ye forsaid lady Dam John and for to tvrne it halely in hir oyise and for to gyf it to qwhat kirk of Chapel yat scho likys for ye merytabil heile of hir saule t hir foreldris t ourys and at our yat J conferm be yis my my (*sic*) lettir hir gyft in ye maner beforsaid t resyngys til hir al my reyth or clame yat I hafe in yat said land or my hafe til it be any maner of secular lauch cevile or canone in tym to come And gyf yat I ye forsaid Tassy or any of my ayris my atturnayis or my assignes agayn callis or agayn standis yis forsaid counand I obliste me my ayris or my atturnayis or my assignes or any in my name or throw me in fourty pvnd of sterlingis to be vpleftyt at the wil of any man lerd or lawyt yat happynys to duele wt ye said land or for to haf it eftir ye dissese of the forneyt lady my Eldmodir or yhit agayne call it in hir lyife or in any tym to come and to ye mar Sekyrnes of ye qwhilk thyngis fermly to be yhemyt t heldyne I haf svorne abodily athe in ye presence of syndry In ye witnese of the qwhilk thyng be cause yat I had na seal redy of my awyn I pcurit the seil of an honabile lady Dam Alice ye lydesay Porese of ye Nunnys of hadyngton t ye comone seile of ye Pryorese wt ye assent t ye consent of ye cowand of ye forne yt abbay to be set to yis psand lettir in ye absent of my seile Gyffyn at at (*sic*) Hadyngtone In ye yheir of our lord Jm ccc nynty ye tend · (*H. and M.*)

44. 20th May 1407. Confirmation by Archibald Earl of Douglas, Lord of Galloway and warden of the Marches of Scotland towards England, to Sir William of Haya of Lochorward, Knight, and his heirs, of a gift granted by the illustrious David late King of Scots to Patrick Flemyng, of the office of Sheriff of Peebles. Dated 20th May 1407. (*M.*)

Seal of the Earl, of which the greater part is in good state, the edges broken.

45. 4th Dec. 1409. Obligation, in vernacular, by Henry Sencler Earl of Orknay and William Sencler of Hirdmanstoun, Knights, to Sir William the Hay, Lord of Lochwhorwart, for Dame Margaret Countess of Marr and Angous, to secure the refunding of the sum of £100 scots ; to the said Sir William, his heirs, &c., within a year, if the contract of marriage of William of Douglas Earl of Angous, with a daughter, qwha sa hit be, of the said Sir William, ta by reason of the death of the said Earl, if the marriage be fulfilled between the son and heir of the said Sir William and Elizabeth the sister of the said Earl of Angous, then the said £100 shall not be refunded—and if the said Earl oppose the said marriage the said Earl of Orkney and William Sincler bind them to pay to the said Sir William Hay £100 scots with £200 in name of costs. At Hirdmanstoun 4th December 1409. (*M. and H.*)

The seal of the Earl of Orkney is perfect, that of Sincler of Hirdmanstoun is lost.

46. 12th Dec. 1410. Acquittance by Margaret Countess of Marr and Angus to Sir William Hay Laird of Locherwart, of £100 "usuale money of the Kyngryk of Scotlande," in which he was obliged to her for cause of marriage of her son's son Wyllyhum of Douglas Eryl of Anguse and Larde of Ledalysdale. At Bagby 12th December 1410. (*M.*)

Seal gone.

47. 28th Sept. 1414. Charter by Archibald Earl of Douglas, Lord of Galloway and Annandale, in favour of Sir William de Haya of Lochworward, Knight, of the lands of Auchqwone, in the Sheriffdom of Wigton and Lordship of Galloway, on resignation thereof by Sir Thomas Makcowlauch, Knight, at the College of Linclowden in presence of many nobles, Holding to the said Sir William of the granter in fee and heritage, for services used and wont. At Edinburgh 28th September 1414. Witnesses, Sir Henry de Sancto claro Earl of Orkney, Sir William of Douglas of Drumlanrig, William of Borthwik of that Ilk, John of Moubray and John of Sinclair, Knights, Adam of Hepburne of Halis, Robert of Levinstoune, Robert of Hoppringil, William of Edmonstoun, William of Sinclair, Esquires, and Master James of Fawside secretary to the Earl of Douglas. (*M.*)

Seal of the granter in good condition. Seal is not attached.

Note.—This document is in a very wasted condition, and the matter of this abstract has been supplied from a copy which follows.

48. 28th Sept. 1414. Fifteenth Century Copy of the foregoing on paper. The following is jotted on the back. Of qwytsonday the zer of gras m iiij and XV (1415). Item. Thom hoye 4sh.2d. : It. Thom Alexandersoun 8sh.4d. : It. Jon Alixandersoun 8sh.4d. : Jon Alixandersoun, soun, 8sh.4d. : It. Jon of May 14sh. : It. Wil Roggersoun 6sh. : It. Wil. Jonson 5sh. : It. Robyn of Morham has tan fra Wil of blakby 15sh.7d. : It. the said Robyn 7 sh.10d. Of the mal of martymes. Alan Walkar 5sh. : It. to Howlota Stovoun 20d. : It. to Gras Ranis 16d. : It. Thom the hay 6sh. : It. to the lord 4sh. and 4d. : It. Jon Alisandersoun, soun, 8sh.4d. : It. the Wif 8sh. : It. Jon of Stratoun 4sh. : It. to Howlotta Stovoun 4sh. : It. Jon of Strattoun 4sh. : It. Robyn Rechardsoun has part £4-5sh. : It. Wil Jonsoun of Berford 10sh. : It. Wil Roggersoun 12sh.6d. : It. Patroun Dobsoun 4sh.8d. : It. Jon of May 15sh.10d. : It. Rechard of May 4sh.10d. : It. Wil Roggarsoun 4sh.2d. : Summa 56sh.

It. Androw Harddy has part of the mal 27sh.8d. : It. 40sh. : It. 8sh. for hymself : It. 17sh. : It. 10sh. for hymself : It. 8sh. : It. 13sh.4d. : It. 10sh. and sa Anddrow his award 8sh.6d. of the —— : It. balmalkyn 5sh.6d. : It. Thom smetht 35sh.10d. : It. to the lord 16sh.6d. : It. to the leddy 14d. : It. to the lord 12d. : and sa he is awand 5sh.6d. (*H.*)

49. 6th Oct. 1414. Precept by Archibald Earl of Douglas, Lord of Galloway and Annandale, to Outhred MacDowell sheriff of Wigton to infeft Sir William Hay of Louchorwart, Knight, in the lands of Auchqwhone, in the sheriffdom of Wigtoun and Lordship of Galloway. At Edynburgh 6th October 1414. (*M.*)

Seal of the Earl, in fairly good condition.

50. 6th Janry. 1414/5. Dispensation by Wm. Bishop of Glasgow, following on and narrating a letter to him from Pope Benedict (Anti Pope Benedict XIII.), dated 3 Ides Dec. an. pont. 19 (11 Dec. 1413), to Wm. de Douglas Earl of Angus and Margaret daughter of Sir Wm. de la Hay the elder, knt, although related in the fourth degree of consanguinity : Dated at the Castle of Zester, Feast of Epiphany (6 Jan.) 1414 : Witnesses, Wm. de Hay knt., lord of Zester ;

Wm. de Hay his son and heir; Wm. de Borthwic, son and heir of Sir Wm. Borthwic; Jas. de Lawedre; Rob. de Lawedre; Masters Jas. Walter Archdeacon of Thevidale; David de Narne; Sirs Thos. de Lawedre canon of Dunbar and others: Written by the Bishop's notary, Wm. Ra, priest Glasg. dio., N.P. l.a. (*H.*)

Fragment of Bishop Lawder's seal appended, red wax upon green.

51. 26th Jan. 1418/9. Indenture between William de la Hay Lord of Lochqwerwert Sheriff of Peblis with consent of William de la Hay his son and heir, on the one part, and Master Robert de Moffete canon of Glasgow and perpetual vicar of the parish kirk of Peblis, with consent of Sir William de Lawedyr Bishop of Glasgow and the chapter thereof, on the other part, whereby the said Sir William de la Hay and his heirs shall have the Kirklands lying from the water called Raburn on the west part; and the said vicar shall have the lands of Geddowrtefelde lying from the said Raburn on the east part, with all rights and liberties, manse, commodoties, &c., according to the marches as they are at the time of this contract. Dated at Peblis 26th January 1418. Witnesses, Thomas de la Hay, Sir William Ade dean of Peblis, John Gedas, Sir David Forestar vicar of Edylstown, and Adam Robertson burgess of Peblis. (*M. and H.*)

The seals of the Bishop, the chapter of Glasgow and the vicar have been appended; the first and last only remain and are somewhat defaced.

52. 18th Feb. 1418/9. Precept by Archibald Earl of Douglas, Lord of Galway and of Annandale direct to Robert of Crichtoun and his fallow Mcgyewe his officers, directing them to see the maills of the lands of aucht Qwhow lying in the said Lordship of Galloway and which pertain to Sir William the Haye of Louchorwart, paid to the said Sir William: At (Edinburgh) 18th February 1418. (*M.*)

Paper badly decayed and torn. Small fragment of Earl's seal remains.

52A. 23rd January 1419/20. A precept of Sasine be George Erle of Merch for giving seising to William Cunninghame of the Landis of Beltone and Kilpallet of the dait the 23 of January 1419. *No.* 12, 1619 *Belton Inventory.* (*H.*)

52B. 24th January 1419/20. Ane instrument maid be William Cranstoun Sheriff of the countie of Merch of a saising given be him to the said William (Cunningham) be vertew of the precept abune specifeit of the daitt the 24 Jarij 1419. *No.* 13, 1619 *Belton Inventory.* (*H.*)

53. 1st August 1420. Petition addressed to Henry Bishop of St. Andrews by William de Hay knight, Sheriff of Peebles; Thomas Boyd, with the consent of his eldest son and heir Thos. Boyd; Eustace Maxwell; and Dougal M'Dowel, co-lords of the Lordship of Zester and patrons in turn of the Parish Kirk of Bothanis craving the erection of the said kirk into a College for a Provost and four Prebendaries: see No. 55, where this petition is embodied in the Foundation Charter by the Bishop. (*H.*)

The seals of the four granters are appended in fair condition. The seal of Sir William Hay shews the earliest example of the Hay of Yester arms, Fraser (in the 1st and 4th) quartering, Giffard (in the 2nd and 3rd quarters), and the Hay arms on a surtout. The crest is a ram's head.

54. 12th April 1421. Instrument at the instance of Dame Alicia de Hay Lady of Zeister, wife of Sir Wm. de Hay lord of Zeister, upon the consent of

Sir John Richardson Rector of the Parish Kirk of Bothans to its erection into a College Kirk in terms of No. 53, which was shewn to him, the seal of Eustace de Maxwell not yet affixed, on condition that a pension, to be fixed by the Bishops of S. Andrews and Glasgow, be paid him from the said Kirk : Done in the Castle of Ziester, in the room of the said Sir John, 12 midday, 12 April 1421 : Witnesses, Sir Wm. Adam, Dean of the Christianity of Pebles ; David de Borthwik ; Thos. de Hay ; Thos. Wode ; and Andrew Roucel : Thos. de Lawedre, clerk S. And. dio., M.A., N.P., A.a. (*H.*)

55. 22nd April 1421. Universis Christi fidelibus ad quorum noticias presentes littere pervenerint Henricus permissione divina Episcopus Sancti-andree Salutem in omnium saluatore Splendor eterne glorie qui suam mundum illuminat ineffabili claritate pia vota fidelium de sue maiestatis clemencia tunc benigno favore prosequitur cum devota ipsorum humilitas et sincerus affectus in divini cultus augmentacione fervere noscantur piis que precibus et benemeritis adiuuantur Justis quoque postulantium precibus quos fides spes et caritas ad devocionis affectum et divini cultus augmentum continue sollicitant ut ad gratiam dispositi et ad gloriam iuvitati in piis actibus fervencius et instancius persuerent tam vigor et favor equitatis quam ordo racionis favere nos inducunt Nos igitur pium affectum nobilium virorum Willelmi de haya militis vicecomitis vicecomitatus de peblis thome boyde eustacii de maxwell et dowgalli makdowale condominorum porcialium dominii de Zester et compatronorum vicissim et alternis vicibus ecclesie parochialis de bothanis nostre dyocesis ipsorum unanimi consensu et assensu predictam ecclesiam de bothanis in perpetuum collegium seu collegiatam ecclesiam unius prepositi et quatuor capellanorum perpetuis temporibus duraturam quantum in eis fuit erigi cupiencium et erigencium ac nobis per suas patentes litteras ipsorum sigillis sigillatas ut hujusmodi erectionem ac ipsorum disposicionem et ordinacionem approbare et confirmare humilites supplicantium per nostri sollicitudinem officii ad effectum perduci debitum cupientes dictas litteras illorum ordinacionem et supplicacionem continentes recepimus quarum tenor de verbo ad verbum sequitur sub hiis verbis Reverendo in Christo patri ac domino Henrico permissione divina Episcopo sanctiandree Nos Willelmus de haya miles vicecomes vicecomitatus de peblis Thomas Boyde cum consensu et assensu thome Boyde filii mei primogeniti et heredis Eustacius de Maxwell et dougallus mc douell domini dominii de Zester porciales et compatroni vicissim et alternis vicibus ecclesie parochialis de Bothanis vestre dyocesis vestri filii humiles et devoti Reverencias omnimodas debitas cum honore Cum enim mundus vita presens et mundana (gaudia) transtoria et vana multipliciter dinoscantur Nos considerantes celestia perpetue duratura nostros animos pia devotione excitat et inducit ut de bonis temporalibus nobis a summo collatis eidem retributori et merito quam possumus reddamus eterna Intendentes terrena in celestia commutare ad perpetuam rei memoriam pro salute animarum nostrarum uxorum progenitorum nostrorum et sucessorum et omnium fidelium defunctorum ut cultus divinus in (sanctum) ecclesiam dei augeatur proposuimus et intendimus et unanimi consensu et assensu sine revocacione quacumque proponimus disponimus et ordinamus vestra autoritate ordinaria mediante prebendo confirmacionem de ordinatis per nos porciales et compatronos predictos in dictam ecclesiam de Bothanis perpetuum collegium unius prepositi et quatuor capellanorum perpetuis temporibus duraturum pro quorum sustentacione dictam ecclesiam dotamus modo et forma quibus sequitur videlicet prepositus qui pro tempore fuerit et in dicta prepositura presidebit omnes fructus redditus et proventus eiusdem ecclesie de bothanis cum suis pertinenciis percipiet pro tempore vite sue solvendo inde annuatim ad quatuor anni terminos ad festa pentecostes sancti laurencii omnium sanctorum et purificationis beate marie viginti octo marcas usualis monete scocie proporcionaliter duobus capellanis uni videlicet decem libras qui curam in dicta ecclesia de Bothanis geret animarum una cum sufficiente mansione pro dicto capellano in terra ecclesiastica situata altei vero capellano tres decim marcas usualis monete scocie una cum sufficienti mansione in eadem terra ecclesiastica pro eodem Tercius vero capellanus totam terram de

Kirkbank vulgariter appellatam habebit que extendit ad valorem quatuor marcarum cum dimidia cum molendino in dicta terra situato extendente ad valorem duarum marcarum et unam mansionem in terra ecclesiastica cum orto situatam ad valorem unius marce et in augentacionem sue porcionis damus concedimus deo et dicte capellanie perpetue mortificamus quinque husbandlandis et quinque cotelandis iacentes infra terram de duncanelaw que extendunt ad valorem quinque marcarum cum dimidia Insuper nos compatroni predicti ordinamus et consentimus quod ecclesia de morame vestre dyocesis ad nostram vicissim et alternis vicibus presentacionem spectans cum vacauerit erit annexa dicto collegio et ecclesie de Bothanis et de ipsius ecclesie de morame fructibus fundabitur quarta capellania cuius capellanus fructus redditus et proventus eiusdem percipiet solvendo inde annuatim iura episcopalia et archidiaconalia debita et consueta et in eadem ecclesia de morame capellanus qui pro tempore fuerit parochianis faciet divinum servicium et alia sacramenta ecclesiastica debite deservire Prepositus vero predictus et qui pro tempore fuerit de fructibus dicte ecclesie de Bothanis iura episcopalia et archidiaconalia debita et consueta solvet prout rector eiusdem antequam in collegium fuerat erecta alias solvere consuevit Nos vero compatroni predicti ad dictam prepositurarn cum vacauerit iure debito presentabimus sine contradictione quacunque ad capellanias vero nostrum quilibet unum per se capellanum ydoneum presentabit cuius capellanie presentacio cuiusquam per se eidem presentanti et suis successoribus pertinebit Preterea nos compatroni predicti fundamus et ordinamus quatuor altaria in dicta ecclesia de Bothanis pro dicto preposito et capellanis inibi deo perpetue servituris In vestimentis libris calicibus tintinabulis vrceolis et aliis ornamentis sufficienter ornata ad que altaria et ornamenta iidem prepositus et capellani supportanda et totiens quotiens necesse fuerit renovanda cum pane vino candelis et aliis necessariis imperpetuum obligantur Item ordinamus quod quolibet die festo predictum prepositum et capellanos predictos una cum sufficiente clerico qui sciat legere et cantare ad magnum altare celebrabitur missa cum nota et alia missa cum nota ad altare nostre domine et quolibet alio die non festo una missa cum nota ad magnum altare et quod ad quamlibet missam (secretam) per predictos capellanos et eorum quemlibet celebrandum diebus festivis et non festivis dicatur pater noster cum ave maria in (exordio ?) misse pro animabus fundatorum cum aliis collectis in memento Idem vero prepositus et capellani in dicta prepositura et capellaniis facient residentiam personalem pro tempore vite sue aliam quoque curam seu servicium non habebunt et quod fuit bone conversationis et vite et quod quilibet admittendus ad capellanias predictas sit sufficiens in cantu et lectura et dicti prepositus et capellani dicient placebo et dirige cum nota pro animabus annuatim fundatorum viviventium et mortuorum et quolibet die obitus patroni decentis cum contingat dicti superius prepositus et capellani ad matutinas horas et vesperas cum nota dicendi diebus festivis obligantur et aliis non festivis cum commode potuerunt nisi cum ipsis a superiore causa rationabili exigente fuerit dispensatum absentes vero se a matutinis horis et vesperis predictis in toto vel in parte ad discrecionem prepositi puniantur nisi subsit causa rationabilis excusandi volumus insuper quod dicti capellani qui pro tempore fuerint suo preposito in hiis que concernent divinum servicuim sint obedientes in omnibus licitis mandatis et honestis Nos igitur prenominati compatroni vestre Reverende paternitate supplicamus humiliter et devote quatenus in hac parte nostrum desiderium adimplere dignetur gratiose dictam ecclesiam de bothanis in collegium erigendo prefatum que ecclesiam de morame cum vacuerit eidem ecclesie de Bothanis annexandam In cuius rei testimonium sigilla nostra presentibus sunt appensa primo die mensis augusti anno domini millesimo quadringentesimo vicesimo. Post quarum litterarum presentacionem et recepcionem pro parte predictorum nobilium vicibus repetatis nobis fuit instanter et humiliter supplicatum quatenus ipsorum disposicionem et ordinacionem ratificare et confirmare dictam ecclesiam de bothanis in collegium erigere ac ecclesiam parochialem de Morame nostre dyocesis cum vacauerit prefate ecclesie de bothanis annectere et unire et cetera omnia et singula in ipsorum nobilium litteris contenta ad effectum deducere ipsorumque desiderium adimplere dignaremur Quia ea propter predictorum nobilium devotionem considerantes affectiones ad dei omnipotentis laudem et

honorem et perpetuam animarum suarum memoriam et salutem matura deliberacione prehabita cum consensu et assensu prioris et capituli nostri sanctiandree prefatam ecclesiam de Bothanis in ecclesiam collegiatam erigimus et ipsum in perpetuum collegium per prefatos nobiles erectam necnon terrarum reddituum et possessionum quarumcumque per prefatos nobiles prefate ecclesie de Bothanis et capellaniis in eadem fundatis datas concessas et mortificatas sub modis formis et reservacionibus infrascriptis approbamus ratificamus et pro nobis et successoribus nostris tenore presentium pro perpetuo confirmamus Salvo tamen nobis et sucessoribus nostris quibuscumque visitacione correctione et punitione canonica obediencia et iurisdictione omnimoda predictorum prepositi et capellanorum salvisque nobis et successoribus nostris iuribus episcopalibus et archdiaconalibus et procuracionibus quas nobis et successoribus nostris perpetuo reservamus salvis eciam nobis et successoribus nostris predictorum prepositi et capellanorum nobis per predictos compatronos totiens quotiens prescriptas preposituram et capellanias vacare contigerit presentandorum institutionibus et destitutionibus ac provisionibus et collacionibus capellaniarum et prepositure predictarum Et ut divinus cultus in predicta ecclesia collegiata de bothanis augeatur consentimus quod ecclesia parochialis de Morame cum vacauerit eidem ecclesie de Bothanis sit annexa proviso quod dicta ecclesia parochialis de Morame debitis non fraudetur obsequiis et animarum cura in ipsa nullatenus negligatur Sed quod unus capellanus ydoneus per predictos compatronos vel ipsorum aliquem vite sua quotiens predictam ecclesiam de morame vacare contigerit nobis et nostris successoribus presentetur a nobis nostrisque successoribus provisionem collacionem et institucionem recepturis qui de ipsius ecclesie fructibus redditibus et proventibus ad ipsius sustentacionem honestam sufficientem habeat portionem qui siquid capellanus apud dictam ecclesiam de morame teneatur personalem residentiam et eiusdem cure animarum debite ministrare Proviso eciam quod universa et singula onera et Jura ordinaria et episcopalia ac archidiaconalia ex dicta ecclesia de Morame persolvi debita et consueta nobis nostrisque successoribus et archidiaconis laudonie qui pro tempore fuerint ex ipsius fructibus redditibus et proventibus perpetuis futuris temporibus persolvantur In quorum omnium et singulorum testimonium erectionem perpetuam firmitatem atque fidem corroboracionem et confirmacionem huic scripto pro perpetuo duraturo Sigillum nostrum autenticum una cum sigillo capituli supradicti est appensum in domo capitulari sanctiandree vicesima secunda die mensis aprilis Anno dominis millesimo quadringentesimo vicesimo primo et consecrationis nostre decimo octavo. (*H. and M.*)

Seal of the bishop appended, broken ; the chapter seal is gone.

55A. 19th March 1426/7. Ane chartour cancellat be Walter Tuedy of Drumelzear witht consent of James Tuedy his sone to Thomas Fraser of Fruid of ane annuel rent of XL iiij sh. to be upliftit furth of the toun and territorie of Drumelzear daitit the 19 of Marche 1426. *No.* 21, 1632 *Drumelzier Inventory.* (*H.*)

Not among Hay of Duns MSS.

56. 9th May 1430. Transumpt, see No. 249A, of a Confirmation under the Great Seal of a charter by Archd. Earl of Douglas Lord of Galloway and the Constabulary of Lauder to Wm. de Sinclair of the lands of Hirdmanstone and of Carfray in the said Constabulary : the lands of H. to be held in blanch firme, and the lands of C. for homage and service of suits of court with ward, relief, marriage, etc. : Paying yearly at the Castle of Lauder a pair of gilt spurs in name of blanch firm, if asked ; dated at Dunbar 20 Jan. 1401 : Confirmation at Edinburgh 9 May a.r. 24 (1430) : Witnesses, John, Bishop of Glasgow, Chancellor ; John Forrestar of Corstorphin Chamberlain ; Walter de Ogilvy of Lintrethin, Treasurer, Knights ; Mr. Wm. Foulis, Provost of the College Kirk

of Bothwell, Keeper of the Privy Seal; and Mr. Thos. de Myretoun, Dean of Glasgow. (*H.*)

Note.—The original charter is in the Home of Wedderburn charter chest,—see Hist. MSS. Com. Report, 1902, No. 591. This confirmation is not in the Reg. Mag. Sig.

57. 3rd June 1430. Instrument of Sasine following on breve from the King's Chapel to Thomas Wolf baillie of the burgh of Haddington, in favour of Robert Bertrame "consanguineo," cousin, of the late William Bertrame, as heir to said William, of a tenement of land with pertinents, lying in the burgh of Haddington, on the west side of the street called the Hargate, between the land of John of Frude on the south, and the land inhabited by Andrew of Jedworth on the north. Dated 3rd June 1430 c. 10 a.m. Witnesses, Radulph Bowmaker, James of Aytoun, James of Boltoun, William Stensoun and Andrew of Jedworth burgesses of the said burgh. William Harper notary. (*M.*)

Seal wanting.

57A. 26th Nov. 1431. Ane instrument quhair Geo. Rippeth renunces the Landis of Wastbarnis and utheris Lyand within the barronie of Carrell (Crail) in favouris of Sr. William Cunninghame of Beltone daittit 26 Novembr. 1431 under the subscriptioun of Sr. Donald Post notar and preist. *No.* 14, 1619 *Belton Inventory*. (*H.*)

58. 30th Sept. 1432. Retour of Inquest at Lanark before David de Hamyltoun, sheriff depute of L., by Alex. Lokhart of Lee, Thos. Wer of Blacwode, Wm. de Carmichaele of that Ilk, Jas. de Sandilandis, Rob. Wer, Wm. Scott, Phil. Inglis, John de Ledale, John Inglis of Bagby, John Ker of Culter, Geo. Wer, Andrew Murhede, Thos. Inglis of Carnwithmur, John de Banachtyn of Corrox, John Watsoun of Gervaswode, Thos. de Dalzelle, and John de Bertoun, Jurors, finding Sir Thos. Hay, knt., heir to his father Sir Wm. Hay, knt., who died 11 years before, in the lands of Ethcarmur, in the shire of Lanark, worth 40 marks yearly and as much in time of peace, held of the Abbot of Arbroath for payment of half a stone of wax on said lands at the Feast of S. John the Baptist in name of blanche firme. *Cf.* Reg. Nig. de Aberbrothoc, 65. (*H.*)

59. 13th Dec. 1432. Notarial Copy of No. 49 at the instance of Sir Thos. de Haya knt., lord of Lochorwart; Done in the College Kirk of Bothans, 10 a.m. 13 Dec. 1432: Witnesses, Alan de Erskyn, Thos. Hay, Wm. Flemyn, esquires, Sir John Rechardson provost of the said Kirk, Sir Wm. Knollis, and Sir Alan Pilmuir, chaplains: Wm. de Blar, priest Glasg. dio., N.P. (*H.*)

60. 20th Oct. 1433. 15th Century paper copy of an Inquest at Stobow, 20 Oct. 1433, before Sir Thos. de Tudai of Glengevil, perpetual vicar of the Parish Kirks of Averlethen & Edilstoun, and commissary "*in hac parte*" of John, Bishop of Glasgow, and Mr. Wm. de Fowllis, Keeper of the Privy Seal, and Rector of the Prebendal Kirk of Stobow within the Kirk of Glasgow, anent the Kirklands of Westerhoperho belonging to the vicarage of Stobow, by the following jurors, Thos. de Caverhel, Pat. de Lowse, John de Elphynstoun, Henry Patriton, Thos. Patriton, Wm. de Bothwyl, Stephan de Stenstoun, John de Stewarstoun, Rob. de Balcasky, Geo. de Murry, John Purdi, Wm. de Patriton, And. de Foullisland, Roger Lawriton, Thos. le Wecht, Adam de Fowlop, and John de Bowrhel, laymen, Sir Rob. Alanson (Alani) rector of Henriland, and Sir Rob. Mon, Sir Thos. de Meldoun, Sir John Smel. and Sir Pat. de Fowlop, Chaplains, finding that the vicar of the vicarage of Stobow

holds the lands of Westerhoperho with pasturage of 40 animals, oxen and cows, and 2 horses, for two masses weekly, one on Wednesday and the other on Friday, in the Chapel of Westerhoperho. (*H.*)

61. 6th April 1434. Retour of Inquest at Lanark before David de Hamiltoun, Sheriff depute, Tuesday 6 April 1434, by Thos. Wer of Blacwode, John de Bannachtyne of Corrax, Alex. Lokhart of Lee, Wm. de Carmichaele of that Ilk, John Folcart of Folcartoun, Andrew de Hamyltoun, Rob. Wer, Wm. Scott ygr. of Nemflar, Thos. de Calderwode, Simon de Sandilandis, Rocald Wer, Thos. Achinlek, Thos. de Symontoun, Geo. Wer, and Thos. Russale, Jurors, finding David de Hay heir of his brother Sir Thos. de Hay of Yhester, knt., who died 3 weeks before, in the sixth part of the lands of Bygar and mill thereof, and of Thancartoun and mill thereof; and also the sixth part of Lenechirtowne (the Nether town) of Strathavane, and a half of the quarter of the mill thereof, and an annual rent of 5s. from lands of Glengevil in the barony of Strathavane, all in the shire of Lanark held of the King by ward and relief. (*H.*)

Four seals still appended.

61A. 6th April 1434. A retour of Sr. David Hay when he is retoured aire to his brother Sr. Thomas Hay in the baronie of Lochorwart and diverse utheris Landis. 6 Apryle 1434. *No.* 3, 1622 *Locharret Inventory.* (*H.*)

62. 14th Jan. 1434/5. Contemporary Copy on parchment of a Charter of confirmation by David of Haia Lord of Yhestire, of a Charter granted by William Vernoure burgess of Edinburgh and Laird of Glenquothane in favour of John of Schaw Laird of Haly and his assignees, which failing to John of Schaw his son and heir, the heirs male of his body lawfully to be procreated, which failing to Adam of Schaw, also his son, and the heirs male of his body, which failing to Alexander of Schaw then to Robert and after him to James, likewise sons of the said John, which all failing, to the lawful and nearest heirs of the said John whomsoever; of the lands of Glenquhothane, lying in the barony of Olivercastle and within the Sheriffdom of Peblis, holding of the granter in fee and heritage for ever. At Edinburgh 29th September 1434, Confirmed at Perth 14th January 1434. No witnesses. (*M. and H.*)

63. 15th Feb. 1434/5. Indenture between Davy the Hay, Lord of Yester and Sheriff of Peebles on one part, and William of Geddes of Ladyhurd on the other part, whereby it is agreed that when the saids Davy and William or their heirs get two merks worth of land to buy in the Sheriffdom of Peebles, the said Davy and his heirs shall give to the said William and his Heirs to the buying of the said land, 40 merks scots, and if said land be got of any tenant of the said Davy, he shall give his consent thereto cost free, although it be 40 shilling worth, and when the said William has taken heritable possession of the same, he and his heirs "of twa markysworth of annale rent, of the qwylk he has tane heretabyl state and possessyoun in Westerhaprew sall mak pure and sympyl resyngacyoun" in the hands of the said Davy and his heirs, to remain with him and his heirs for ever. At Peblis 15th February 1434. Witnesses, Barnaba the Wach of Dawic, Patrik of the Lowys of Menar, Thomas ffreser of ffrude, John Davysoun and Thomas of the Louth burgess of Peblis. As the said William had no seal of his own, he procured that of Wate of Tuedy lard of Drumelzare. (*M. and H.*)

Two tags, only one seal, that of Sir David Hay in good condition.

64. 10th March 1434/5. Be it kende til all men be thir presentez lettrez me William off Creichtoune off that ilk knycht maister off househalde to the king and schirraffe of Edinburght In the kingis name for to haffe ressawit and fullily

to haffe hade be the handis off a nobil man david the haya of yhester and schirraffe of peblis tenescore off pundez twelfe pundez fifetene schillingis and foure penysse off usuale mone off scotlande acht to the king for the raleiffe off the saide david—deliverit in Edinburght for the quhilk forsuth soum off tenescore of pundez twelfe pundez fyfetene schillingis and foure penysse off all the saide releiffe in the kingis (name) I quitcleme and dischargis the saide david and his airis for evermare but fraude or gile be thir present lettrez In witness off the quhilk thing to thir presentt lettrez I haffe to sete my seele at Edinburght the x day off marcij the zere off god jmcccc xxxiiiiti (1434) in presens off ser William off Borthwic off that ilk Robert gray thomas off lewyntoun and James off chawmer witht mony other.

(*Note appended.*)—Debet de ista summa vicecomiti novemdecim libros quindecim solidos et quatuor denarios. (*H.*)

On parchment, seal gone.

65. 1st June 1435. Procuratory by John de Geddes of Rauchane to Alex. de Geddes of Lyne and Wm. de Geddes of Ladihurd to resign his lands of Thankartoun (as in No. 39) to the superior, David de Haya lord of Louchorwart: At Hoprew 1 June 1435. (*H.*)

Seal appended, perfect.

66. 12th July 1435. Charter by David de Haya of Yhesterand Hoprew to his kinsman John de Geddesse son of um. Andrew de G. of 10 bovates, the half of a coteland, and the sixth of the mill in the town and lordship of Thankartoun, reserving to the granter etc. the place called John Gray's garden in order to render service due and wont to the king, which lands belonged to um. John de Geddesse of Rauchane and were resigned by him: to be held by the sd. J. de G. and the heirs male of his body whom failing; Geo. de G. his brother german etc., whom failing the lawful heirs of sd. John, of the granter and his heirs lords of Hoprew for payment of a penny in name of blanche firme: Castle of Peblis 12 July 1435: Witnesses, Edmund de Haya of Thalow, the granter's brother german; Walter de Twedy lord of Drummelyhore; Bernaba de Vach lord of Dawyke; Gilbert de Haya of Meynyhene; and Thos. Fressele of Frude. (*H.*)

67. 15th July 1435. Precept of Sasine by David de Haya of Yhester, lord of Hoprew, to his kinsman Gilbert de Haya of Menzane, his baillie, for John de Geddes, son of umquhile Andrew de G. of his lands of Thankartoun (as in No. 66): Peblis 15 July 1435. (*H.*)

67A. 31st Dec. 1435 Notarial copy of No. 25, produced by John Flemyng burgess of Haddington, and made on behalf of David Hay of Yhester: Done at Haddington, 10 a.m. 31 Dec. 1435: Witnesses, John de Crumbi, baillie, for the time, of Haddington; Thos. Wolf and Thos. Nicholas, burgesses of H.; Wm. Harper, clerk Glasg. dio., N.P.I.a. (*H.*)

68. 21st January 1435/6. Rex. We have ressaved be the handis of david the hay of yhestre fyfty markis of the contribucioune that he suld gife til the passage of our dochter of the quhilkis thar wes twenty pundis deliverit til oure cosynge lorde of Erskyne // Gevyne under oure signet at perth the XXj day of Januere the yhere of oure Regne XXXti (Jas. I a.r. 30—1435). (*H.*)

Written on a long narrow strip of paper. Signet impressed, gone.

68A. 4th March 1435/6. Ane instrument geven be Jhon Richard notare of a protestation against the seasing taken be William Borthike of the Mote of Lochquharet and half Lands of Middletoune in respect the said Mote is the

said David (Hay) his propre Lands and the half Lands of Middletone haddin of him be service and waird and releuiffe 4 March 1435. *No.* 4, 1622 *Locharret Inventory.* (*H.*)

68B. 7th March 1435/6. Notarial Copy of No. 21 at the instance of and produced by David de Hay, lord of Yhester: Done at Yhester, 2 p.m. 7 March 1435: Witnesses, Sir Pat. de Mortoun; John Brysse, chaplains; Wm. de Gedas; John Wan, and Wm. de Morham: Wm. Harpar notary (*H.*)

69. 24th Sept. 1436. Rex. We grant us to be content of tenscore of pundis and twelve fyfetene shillingis and foure pennyis of the Releffe of david the haya of Yhester gevin undre oure Signet at Edinburgh the xxiiij day of Septembre the yhere of oure Regne xxx^ti^. (*H.*)

Written on a long narrow strip of paper. Signet impressed, slightly broken.

70. 5th Nov. 1436. Transumpt (dated 1462, see No. 123A) of a Charter under the Great Seal by James I. in favour of the Abbot and Monks of Arbroath, his chaplains, stating that they hold their lands in pure and perpetual alms and free regality by the infeftments of his progenitors, Kings of Scots; ratifying these in all points; and ordering his Justiciars, Sheriffs, Chamberlains Coroners, Judges, and their deputies, not to summon the said Abbot, monks and the tenants of their lands to their courts: At Edinburgh, 5 Nov. 1436. *Cf.* Reg. Nig. de Aberbrothoc, 79. (*H.*)

70A. 15th January 1436/7. Ane instrument geven be Robert Michell of Hirdmanstoun where Sr. David Hay compeired in ane Schiryffe court withtin the Tolbuith of Edinburgh and there objected against the service of William Borthike who auth not to have bene served aire to his father called William Borthike also in the Mote of Loquharet and half Lands of Middletone hadden of the king for the reasons conteaned in the former instrument (see No. 68A). 15 January 1436. *No.* 5, 1622 *Locharret Inventory.* (*H.*)

71. 15th May 1439. Contemporary copy of a Charter in form of indenture by Dungall Makdovell of Mackarstoun to Edmund of Haye of Tallow, for his faithful help, counsel, and favour often rendered to the granter, of his fourth part of the lands of Linplum, lying in the barony of Dunkanlaw and shire of Lothian—Holding of the granter in fee and heritage for ever. Rendering yearly a pair of gloves at the Cross of the said barony, in name of blench ferme, at the feast of Pentecost, if asked; At Dundee 15th May 1439. No witnesses' names given. Paper. (*M. and H.*)

71A. 26th July 1439. Transumpt (dated 1462, see No. 123A) of a transumpt by way of Instrument at the instance of Sir Wm. de Dersy, Monk of Arbroath, of the Order of S. Benedict, *cf.* No. 70: Done in the Dwelling of the Granitar in the precincts of the Abbey of Arbroath 26 July 1439: Witnesses, Sir John de Abirbrothoc, Monk of the said monastery, John King, Thos. Spanky, and John Winter, burgess of Arbroath: Walter de Llownane, pr. S.And.dio., N.P.A.a. (*H.*)

72. 29th Jan. 1439/40. Charter by Edmund de Hay Lord of Wyndene and half of Lynplum in favour of his brother Sir David de Hay Lord of Yhester Knight, of an annualrent of 20 shillings out of his lands of Wyndene and Linplum. Holding to the said Sir David and his heirs until the said Edmund and his heirs infeft the said Sir David etc. in a husband land in the town of Duncanlaw. At

Yhester 29th January 1439: Witnesses, Hugh of Hay the granter's brother, John of Borthwic, Thomas of Hay, Dougall Macdowale, Alan of Erskyn and Thomas Bel. Seal gone. (*M. and H.*)

73. 8th March 1440/1. Rex. Dere frende forquhy that the medow that is nere beside peblis callit the Kingesmedow is in oure handis. We charge yow that ye in oure name Recognoce the saide medow in our handis makand inhibitioune that na man intromete witht it bot oure officiaris and entrometouris undir al paine and charge may eftir folow / gevin under oure signet at Edinburgh the viij day of march and of oure Regne the ffyfte yere (1440). Vicecomite nostro de peblis et C (Sir David Hay of Yester). (*H.*)

Written on a long narrow strip of paper on which is impressed the signet in good condition, protected by a plaited ring of rash imbedded in the wax. The endorsation states that Thomas de Lowche, sheriff depute of Peebles, recognosced said lands on Tuesday, 13th March, 1440: Witnesses, Gilbert Darlynge, "cliente regali," Thos. de Lyne, and John Kynpunt.

74. 6th July 1441. Charter by John of Lachis to Edmund of Haya of Lynplum of an annual-rent of 6 shillings 8 pennies due to the granter out of the tenement of the late Patrick Bernarde lying in the burgh of Hadyngtoun on the south side of the market place (*vici fori*) thereof, between the tenement of Rodger Tredgold on the east and the tenement of the late James Browstar on the west; and an annual-rent of 6 shillings 8 pennies of the said tenement of James Browstar; and an annual-rent of 10 shillings due to the granter of the tenement of John Harpar lying in the said burgh, between the said land of James Browstar on the east, and the land of the late David Calyhour on the west; and an annual-rent of 10 shillings of the said land of the late David Calyhour; and an annual-rent of 8 shillings of the tenement of James Lorimer, lying also on the south side of the said market place (*vici fori*) between the land of the late James of Jedworth on the east and the land of the late John Lamb on the west; and an annual-rent of 8 shillings of the tenement of the late William Coupar lying in the said burgh in the Baxstarraw, on the east side of the said street, between the land of the late John of Aytoun younger on the north and the land of the late Thomas Paw on the south. Holding to the said Edmund of the King. At Hadyngtoun 6th July 1441. Witnesses, John of Aytoun, George Bertrame, Robert of Grenlaw, bailies of the burgh of Hadyngtoun, Alan Zong and Symon of Crag seriands, William Harpar clerk, notary public, Richard Roger, John Wan, William of Morhame, John of Nesbyt and William of Knox. (Seal gone. (*M.*)

75. 12th Janry. 1441/2. Brief of Inquest from Chancery to the Sheriff of Edinburgh and his baillies within the Constabulary of Haddington for the serving of Elizabeth de Dale heir to her grandfather Richard de Dale: Edinburgh, 12 Janry., a.r. 5 (1441). (*H.*)

Note.—This document is laced to the Retour of Inquest following on it, see No. 76.

76. 16th April 1442. Retour of Inquest held at Haddington in the head court of the Sheriff of Edinburgh before Walter de Cokburne Sheriff depute, 16 April 1442, by the following jurors, Alex. de Grahame, Wm. de Lermonth, Wm. de Spens, Jas. de Aldinstoun, John de Aytoun, John de Crumbi, Alex. de Redpeyth, John de Rantoun, Jas. de Quhitlaw, Wm. Gourley, Thos. Wolfe, Wm. de Haliburtoun, Hugh Sproyte, Rob. de Grenlaw, and Thos. Pervy; finding Elizabeth de Dale heir to her grandfather Richard de Dale, who died 4 months before, in a half carucate of land in the tenement of Barrow, barony of Duncanlaw, etc., worth 2 marks per annum, held in chief of the baron of Duncanlaw, and paying 1 penny at the Feast of S. Kentigern in name of feefirme; and in another half carucate in Barow with toft and croft of 2½ acres in Crumestrodir, worth 2 marks per annum, held of the baron of Duncanlaw in

chief, and paying one pound of pepper or 12 pence at the Feast of S. Michael (*H.*)

Seal of John Rentoun appended, rest gone.

77. 16th April 1442. Contemporary copy of the foregoing. Written below in an old hand is, "S. davy hom has a bref to stein Zhow to gyff scessyn." (*M.*)

78. 16th April 1442. Another Copy of same retour on paper. (*M.*)

N.B.—The date when the copies were made is not stated.

79. 20th Feb. 1442/3. Charter by David of Hay Knight, Lord of Lochqwhorwarte mortifying to God, the blessed Mary, and the prebend of Morhame in the Collegiate church of Bothanis, and Sir John of Strathauane chaplain of the said prebend, the prebendary of the said prebend and his successors, in augmentation of the said prebend formerly founded in the said church, a piece of land lying on the south part of the said church between the land of Dame Alice of Hay, Lady of Yester, on the east part, and the common way on the west part and the path lying between the ditch of the burying ground and the said piece of land on the north part of the computed space of 6 feet from the said land along to the said ditch and common way on the south, with the croft of the said piece of land lying on the south part thereof, commonly called le Orcharde croft, and so extending towards the east along to a cross of stone on the south part of the said Orcharde Croft, and so descending by the path which runs along to the south entry of the said burying ground, with the grazing of one horse and 2 cows with their followers for one year in the Lordship of Gamillistoun, &c., in pure and perpetual alms. At Zester 20th February 1442. Witnesses, Edmund of Hay, Hugh of Hay, brothers of the granter, Master Stephen Ker, provost of the Collegiate church of Bothanis, Master John Ker vicar of the parish kirk of Hadington, Sir William of Knollis dean of the Christianity of Hadington ; Sir Ricard of Knollis vicar of the kirk of Bothanis, Gilbert of Hay, Thomas of Hay, John of Borthwic and Thomas of Borthwic esquires. (*M. and H.*)

Seal of granter in fair condition.

80. 20th August 1443. Letter of License, in vernacular, by John of Furd, burgess of Haddington, son and heir of umquhile Thom of Furde, heir of um. John of Furde, burgess of Haddington, to George Bertame, burgess of said burgh, to byg his stane stare of his tenement of land lyand on the West syd of the Hardgate of the said burgh next on the south syd of a land of Robert of Myllis upone my grond of my tenement of land lyand next on the south syd of the said tenement of G.B.: Haddington 20 August 1443: Witnesses, Wm. Harpar, clerk and N.P., Sanderis Clerk his soun, David Tragamete, John of Kyll and Thom Flucar. (*H.*)

Seal appended, in fair condition.

81. 20th March 1445/6. Charter by David of Hoppryngil, Laird of Pilmur, and certain lands of Blawnce, in favour of Alice of Hay relict of Sir William of Hay Laird of Yhestir, Knight, of the lands of Blawnce which extend to a fourth part of the town and territory of Blawnce, lying in the Constabulary of Haddington and Sheriffdom of Edinburgh, in respect of a sum of money paid by the said Alice to the granter ; Holding from the granter of the King in fee and heritage for ever Rendering yearly "unam cadapultam Anglice, a brade arow" at the feast of St. Peter *ad vincula*, in name of blenchferm if asked. At Yhestir 20th March 1445. Witnesses, Master Stephen Ker provost of Bothanis, John of Borthwic, James of Borthwic, David Rede, and Robert Michael of Hirdman stoun, notary public. (*M.*)

Seal of the granter, slightly broken. (*Cf.* Reg. Mag. Sig., II. No. 322.)

82. 8th Oct. 1446. Charter by Patrick Broune son and heir of the late John Broune, to Edmund of Hay of Thalow, of an annual-rent of 4 shillings furth of the tenement of John Bane lying in the Nungate of Hadington, between the land of the late Robert Crowner on the north and the land of John of Pilmor on the south, and an annual-rent of 4 shillings furth of the said tenement of John of Pilmor and the tenement of William Broune, lying between the said tenement of John Bane on the north and the common way between the Nungate and Gyffartgate on the south and an annual-rent of 10 shillings of the tenement of John of Bassindene, lying in the burgh of Hadington in Hardgate near the east end thereof, between the land which Richard Lamb holds on the east, and the land of Patrick of Wellis on the west : Holding the last mentioned annual-rent of the King, and the others of the Prioress of the Monastery of Hadington to the said Edmund in fee and heritage for ever. At Hadington 8th October 1446. Witnesses, William of Haliburtoun baillie, Simon of Crag, serjeant, William Harper, clerk notary public, John Flemyng, David Broune, John Bane, burgesses of the said burgh and William Clerk. (*M. and H.*)

Seal of granter gone.

83. 26th March 1446. Confirmation under the Great Seal of No. 81 to Alicia de Haya widow of Sir Wm. de Haya of Yhester, knt., Witnesses, James, Bishop of Dunkeld, our cousin and Chancellor, Wm. Earl of Douglas, Wm. Lord Crechtoun, Alex. de Levingstoun of Calentar, Jas. de Achynlek of that Ilk, John de Cokburn of Dalgynch : knights ; Masters Wm. Turnbul, Keeper of the Privy Seal, John de Ralistoun, secretary, Jas. de Levingstoun, Captain of Stirling Castle, and Alex. Narne of Sandfurde : Stirling, 26 March 1446. (*H.*)

Seal gone, tag marked "lothiane." (Not in Reg. Mag. Sig.)

84. 12th April 1447. 15th Century paper copy of a Charter by Sir David de Haye, lord of Leuchorwart, and baron of Hopprew, knt., for the safety of his soul etc. to S. Michael the Archangel of Wester Happrew and the perpetual Vicar of Stobo of one acre of Westerhopprew, lying on the north side of and between the torrent and the Halecroft in the shire of Peebles : Doing there for the said Vicar of Stobo, or by a suitable chaplain, the wont divine service for the Kirkland as of old : Witnesses, Gylbert de Haye, John de Borthwyc, Pat. de Lowys, and Master and Sir John de Kokburne and John Herknes, chaplain : at Pebyllis, 12 April 1447. (*H.*)

85. 30th July 1447. Charter by Alicia de Hay, lady of a quarter of Blance, spouse of umquhile Sir Wm. de Hay, knt., lord of Lochqwhorwart, for the weal of the souls of King James, Jas. bishop of S. Andrews, her spouse, herself, and her heirs successors and ancestors, To Almighty God, the B.V.M., and S. Cuthbert of the College Kirk of Bothans, and the perpetual chaplain of the Altar of S. Mary in said Kirk, celebrating for said souls, of an annual rent of 6 marks from her lands of Blance : At the Castle of Zester, penult July 1447 : Witnesses, Edmund de Hay, Mr. Hugh de Hay, her sons ; Mr. Stephen Ker provost of said kirk, Mr. John Ker vicar of Hadyntoun, Sir Richard de Knollis vicar of said College Kirk ; Sir John de Strathavane rector of Morhame ; Gilbert de Hay ; Thos. de Hay ; John de Borthwic ; and Thos. de Borthwic, Armigers. (*H.*)

86. 8th Aug. 1447. Foundation Charter by David of Hay, Knight, Lord of Lochqwhorwart, Robert Boyd, Lord of Kilmernok, —— of Maxwel and Dougall MacDowale of Malcarristoun, portioners of the baronies of Yhester, Duncanlaw and Morhame ; to God, the blessed virgin Mary and St. Cuthbert of the Collegiate church of Bothanis, and the chaplain of St. Mary's altar, of a piece of land lying in "le Bothanis" on the east of the said Collegiate church

between the church and the water, in augmentation of the chaplainry founded to the said altar by Dame Alice of Hay, Holding to the chaplain of the said altar in pure and perpetual alms. Dated 8th August 1447. Witnesses, Edmund of Hay of Thalok, Master Hugh of Hay brothers, John of Borthwic, Gilbert of Hay; Robert Boyde, Malcolm Boide, Uchtred Makdowale and John Macdowale Esquires, Master Stephen Ker provost of the Collegiate church of Bothanis, Sir Ricard of Knollis, vicar of the said church, and Sir William Spens chaplain. (*M.*)

The tags of the seals of the four granters only remain.

87. 23rd Feb. 1447/8. Mortification Charter by Alicia of Hay relict of Sir William of Hay, Knight, Lord of Yhestir, to the altar of the blessed virgin Mary situated in the Collegiate church of Bothanis in the diocese of St. Andrews, and to the chaplain of the said altar, in pure and perpetual alms, of an annual-rent of 6 merks furth of the lands of Blanse in the Constabulary of Hadyngtoun and sheriffdom of Edinburgh; an annual-rent of 14 shillings scots, furth of the land or tentment commonly called "lie pentisse," lying in the burgh of Hadyngton on the north part thereof, near the market cross, between the land of the late John Androsoun on the west, and the common vennel which leads to the "Northt gate" on the east; an annual-rent of 11 shillings 4 pence scots furth of the land of Thomas Johnsoun, lying on the south part of the said burgh, between the land of Robert Philipson on the east, and the land of John Nicolsoun on the west; an annual-rent of 7 shillings 6 pence scots, furth of the land of the said Robert Philipson, lying in the said burgh, between the land of the late William of Dene on the east and the land of the said Thomas Johnsoun on the west; an annual-rent of 5 shillings scots furth of the land of the said late William of Dene lying also on the south part of the said burgh, between the land of Thomas Edwardsoun on the east, and the said land of Robert Philipsoun on the west; An annual-rent of 10 shillings scots, furth of the land of Thomas Edwardsoun, also lying on the south of the said burgh, between the land of Andrew of Crumby on the east, and the land of the said late William of Dene on the West; An annual-rent of 7 shillings 6 pence scots, out of the said land of Andrew Crumby also lying in the said burgh between another land of the said Andrew of Crumby on the east, and the said land of Thomas Edwardsoun on the west; Also a yearly pension of 2 merks to the chaplain of the said altar till he be infeft in another annual-rent of 2 merks furth of a competent place; Also her land with houses built thereon which Sir David of Hay Lord of Yhestir her son and heir granted to her by his charter and sasine, for a dwelling to the said Chaplain and his successors, lying near the said Collegiate church between the water on the east and the Mansion of Sir John of Strathavane rector of Morhame on the west and the brewland in which Marjory Milnaf now dwells on the south and the cemetery of the said church on the north. At Yhestir 23rd February 1447. Witnesses, Edmund of Hay of Lynplum, the granter's son, Thomas of Hay, Archibald of Hay, John of Borthwic of Crukistoun, Master Stephen Ker provost of the Collegiate church of Bothanis, Sir Ricard of Knollis and Sir Robert of Morhame chaplains of the said Church. (*M. and H.*)

Seal appended, in poor condition. (*Cf.* Reg. Mag. Sig., II. No. 322.)

88. 15th Aug. 1448. Instrument on Complaint of David of Hay, Knight, Lord of Yester against Edmond Hay his brother german to the effect that the latter had imposed a water flowing to his own mill, on the lands of the complainer, and had made an aqueduct without the licence of the said lord to his no small prejudice, anent the aqueduct of the mill of the said Edmund made through the lands commonly called Duncanbog and one Milhauche lands of the said David of Hay and the said Edmund being present, formally denied the charge, and produced a charter under the seal of the complainer, granting said Edmund licence to make the said aqueduct etc. Dated 15th August 1448;

in the choir of the Collegiate church of Bothans before Thomas Hay, William Geddes, Henry Spens, and Sir David Gundi notary public, Witnesses. Richard Lamb, clerk of the diocese of S. Andrews, is notary. (*M.*)

89. 26th Nov. 1448. Notarial Transumpt, at the instance of Sir David de Haya, knt. Lord of Louchqworwart, of a Charter by Edmund Hay, of Thalow, to Dougall MacDowale and Elizabeth his spouse, and the survivor of them, and the heirs lawfully procreated or to be procreated between them, which failing to the lawful and nearest heirs of the said Dougall whatsoever, of a husband land with pertinents, which lately belonged to John of Lathis, lying in the town and territory of Duncanlaw, in the Constabulary of Haddington and shire of Edinburgh; Also that husband land and "le Cotland" which lately belonged to Margaret of Puntoun and that templeland which lately belonged to John Peny lying in the said town of Duncanelaw; Holding the said two husband lands and Cotland of the Baron of Duncanlaw, and the said templeland of the Master templar, to the said Dougall, his spouse and heirs in fee and heritage. Dated at the Collegiate Church of Bothanys 20th September 1446. Witnesses, William Mowbray, William of Douglas, James Malvil Esquires, Sirs Stephen Ker provost of the Collegiate church of Bothanis, Richard of Knollis vicar thereof, Robert of Morhame presbyter, William of Morhame, Patrick Trottar and Archibald of Dale. Transumpt dated at the Castle of Jedwordfelde in the Hall thereof 26th November 1448. Witnesses, Sir John of Cokburn Dean of the Christianity of Peblis, Gilbert of Haya, James Malvil, Archibald Malvile, Henry of Borthwyc, Esquires, Thomas Hardkneis is notary. (*M. and H.*)

90. 29th May 1449. Notarial Instrument narrating that Sir David de le Haya, Knight, Laird of Lochorwart, sold to Robert of Leuyngstoune of Middilbenying the lands of Redmyre and Torbrekkis, for the sum of 240 merks, for which sum they are now redeemed by the said Sir David: Reserving to the said Robert assedation of the said lands for three years following their redemption for the ferme of 13 merks yearly. Done in the Tolbooth of Linlithgow 29th May 1449. Witnesses, Alexander of Hathwy, Thomas Forest bailies of the said burgh, James Malvil, Alan Malvil, Archibald Malvil, John of Borthwic, Sir William Lany chaplain and Robert Nicholas: James of Fowlis is notary. (*M.*)

91. 29th May 1449. Md. that it is concordit betuix Schir davy haya of lochorwart on the ta part and Alane malvil James malvil Archebald malvil and Wilyham mowbray on the tother part that the said breder sal tak up the malis of Witsonday terme of the landis ethkermore at thair enteray and the said lord sal tak up the malis of Witsonday at the ische of sex yheris and for the mare sekernes the said lord and Alane malvil has subscrivit thir endenturis witht thair awin handis entirchangeable the XXIX day of maij the yhere of oure lord jm CCCXLIX. (1349). (sgd.) Alane maluil. (*H.*)

92. 13th Oct. 1449. Precept by James Bishop of St. Andrews to the dean of Hadington, commanding him to give collation to Sir John Brice presbyter, of the prebend of Blans in the Collegiate Church of Bothans, of new founded by a noble woman Alice of Haya Lady of Yhestir, with all rights, rents and pertinents thereof. At Leith 13th October 1449, an. consec. 11. (*M.*)

Two tags, seals gone.

93. 31st January 1449/50. Precept under Quarter Seal to Sheriff of Edinburgh and his baillies in the Constab. of Haddington, to execute a decreet of Parliament dated Edinburgh, 29 Janry. 1449 ordering David de Haye of

Zester knt., (cited by John Strang, macer) and Edmund Hay his brother to desist from troubling John Lyndesay of Dunrode in the possession of his lands of Morhame, prolocutor for J. L. Alex. Grahame, for D. H. John de Borthwik. (*H.*)

Seal gone.

94. 16th Feb. 1449/50. Instrument of Sasine by Sir David de Hay knt., lord of Zester, to Wm. Hog attornay for John Lyndesay of Dunrode of the lands of said J. L. in the town of Morhame, in the Constabulary of Haddington: Done on a croft of said lands, midday, 16 Feb. 1449: Witnesses, Wm. de Cokburne of Cakmore, Alex. Clerk N.P., Pat. de Haliburitoun, John de Haliburtoun, John Wan, Pat. Thomson, and Adam Napere: Wm. Harpar clerk of Glasgow dio., N.P. I.a. (*H.*)

95. 22nd March 1450/1. Instrument upon a Perambulation by Thomas de Cranstoun, Justiciar of the King specially depute, and the following jury; Sir Geo. de Seton of that Ilk, Sir Wm. de Borthwyc of that Ilk, Sir David de Home of Wethirburne, knights, Wm. de Cokburn of Newhall, Wm. de Quhytlaw, Wm de Touris, Wm. Lyndesay, Alex. Graham of Elwynistoun, Wm. de Home, Jas. de Home, Wm. Flemyng, Henry Ogyl of Popill, John de Dale of Kyrkland, Thos. de Newtoun, Alex. Synclare, John de Borthwic, David de Chyrnsya, Stephen Scot, John Gyffart, Alex. de Wardlaw, Henry Sadillare, Henry de Qwhitlaw, John Gybsoun, Wm. de Cranstoun, David Synclare, Thos. Hay, and Jas. de Aldyinstoun; over the boundaries of the two portions of Morhame, and verdict pronounced by John de Borthwic, prolocutor, finding that "Lyndesayis landis," within the bounds shewn by sd. T. C. Justiciar and Pat. de Cokburne, Sheriff depute in Constab. of Haddington, had long belonged to John Lindsay and his ancestors, and no variation in the bounds of the Maynes and the husband-lands: Request by the Justiciar that Edmund Hay of Tallo should surrender the lands and tower to said John Lindsay; and his Refusal, referring the matter to the King: Done in the said court held at Morhame 11 a.m. 22 March 1450: Witnesses, Sir Wm. de Crechtoun, Lord Chancellor, Sir Geo. de Crechtoun of Blaknes, knights, Pat. de Cokburne, Walter de Cokburne, Rob. Boyd of Ernele and all the aforesaid jury: Alex. Clerk, clerk of S. And. dio. N.P. I.a. (*H.*)

96. 4th March 1450/1. Gift under the Great Seal by James II. to David de Hay of Lochorwart, knt., of the marriage of Lawrence Olifant, son and heir of umquhile John Olyfant of Abirdalgy knt., whom deceasing not married, the marriage of James Olifant his brother and heir, whom deceasing etc. that of John Olyfant his brother german and heir, for the sum of 600 marks, with all the lands etc. belonging to said marriage, and constituting Sir D. H. curator of said Laurence and administrator of all L.'s possessions: At Peblis 4 March 1450. (*H.*)

Fragment of Great Seal attached to strip cut from body of document. (Not in Reg. Mag. Sig.)

97. 10th Jan. 1451/2. Charter by Robert Boyde, lord of Kilmernok and of the 4th part of the baronies of Yhestir, Duncanelaw and Morame, to Sir David of Hay lord of Yhestir, Knight, in true and lawful excambion, all and whole that his fourth part of the said lands and barony of Yhestir, 4th part of the lands and barony of Duncanelaw, and 4th part of the lands and barony of Morame, and also all and whole his lands of Giffardgate all lying in the constabulary of Hadington and Sheriffdom of Edinburgh, with advocation of Kirks and prebends belonging to the granter within the same, excepting only the provestry of the Collegiate kirk of Bothans—for all and sundry the lands of his whole barony of Telyng lying in the shire of Forfare; To be holden from said Robert and his heirs, of the King in fee and heritage for ever, the said Sir

David doing yearly the service due and wont to the King: Dated at Edinburgh 10th January 1451: Witnesses, Thomas of Malevile, Lord of that Ilk; Hugh of Montgomery of Thorntoun; Robert Boyle of Rawynnisheuch; Gilbert of Haya of Menzean; John of Hamylton of Bryntwod; David de Berclay of Ladyland; and John of Borthwic of Crukistoun. (*M.*)

Seal of granter three-quarter whole.

98. 10th Jan. 1451/2. Precept of Sasine by Robert Boyde, Lord of Kilmernoke, etc., to David of Barclay, George of Guthry, Adam Sinclair and Malcolm Flemyng bailies, following on No. 97. At Edinburgh 10th January 1451. (*H.*)

Seal of granter complete.

99. 10th January 1451/2. Charter by Robert Boyde, lord of Kylmernoke and a quarter of Moskolly, to Sir David de Haya lord of Zester, knt., of his quarter of the lands of Moskolly in the barony of Boltoune, constab. of Haddington, and shire of Edinburgh, in exchange for Hay's quarter of the barony of Teling in Forfarshire: To be held of the baron of Boltoune for the service of offering to hold his stirrup when he mounts his horse on the occasion of the King holding a General Council at Haddington, in name of blanche firme: Edinburgh 10 January 1451: Witnesses as in No. 97. (*H.*)

100. 12th January 1451/2. Confirmation under Great Seal of No. 97: Edinburgh, 12 January 1451: Witnesses, Wm. Bishop of Glasgow, Wm. Lord Creichtoune Chancellor, Pat. Lord le Glammis, Andrew Lord le Gray, Masters John Arous, Archdeacon of Glasgow, and George de Schoriswode Rector of Cultir, our clerk. (*H.*)

(Not in Reg. Mag. Sig.)

101. 15th Jan. 1451. Instrument of Sasine following on No. 98, by David Berclay. Dated 15th January 1451. Witnesses, Laurence Olyphant, Lord of Abirdalgy, Thomas of Haya, George of Fotheryngame, Archebald of Haya, John Wan, Thomas Harcars, William Hay and Henry of Spens. Alexander Clerk is notary. (*H.*)

102. 21st Sept. 1452. Instrument on Resignation, in presence of Pat. de Cokburne of Newbyggyn, sheriff depute in Constabulary of Haddington, by John Hog, son and heir of umquhile Alex. H. burgess of Haddington, to Thos. Johnsoun, burgess of said burgh of two acres in the Kingismedow of Haddington, lying between another acre of said T. J. on the west and the acres now held by John de Grenlaw on the east: Done on the lands of Clerkyntoun, 4 p.m. 21 Sept. 1452: Witnesses, the said Pat. de C., Sir Pat. Tayt chaplain, and Adam Crak: Alex. Clerk, clerk of S. And. dio., N.P. I.a. (*H.*)

102A. 6th October 1452. A License be K. James II. to Sr. David Hay to infeft Wm. Lo. Creighton, Chancellour in the baronie of Loquharret. 6 October 1452. *No. 6 of* 1622 *Locharret Inventory.* (*H.*)

103. 18th October 1452. Instrument of Resignation by Alex. Lyndesay, son and heir apparent of John Lyndesay of Dunrode, following on a procuratory, dated Dunrode 1 Oct. 1452, by the sd. J. L. of D. to Mr. John Arous doctor of Decreets and Archdeacon of Glasgow, and the said Alex. Lyndesay to resign his lands of Morhame to his superior Sir Davyd Hay of Zestyr, knt.: Done in the College Kirk of Creychtoune, 3 p.m. 18 Oct. 1452: Witnesses, Wm. lord Creychtoun the Chancellor, Mr. Peter de Creychtoune Canon of Aberdeen, Alex. Stratoun of Louranstoune, Gilbert Hay of Menzene, John Borthwyk of

Crukistoune, Jas. Cokburne of Wormcleyfe, Richard Sinclare of Longaster, Alex. Froge, Pat. Grynlaw of Zorkstoune, armigers, and John Robysoun of Creychtoune: Rob. Halywele, priest. S. And. dio., N.P. I.a. (*H.*)

104. 28th Oct. 1452. Letter of Resignation by William Lord Creichtoun, Chancellor of Scotland to Sir David Hay of Lochorwart, Knight, baron of the barony of Morhame, of the lands of Morehame, with pertinents pertaining to John Lindesay of Dunrode, lying in the barony of Morehame, Constabulary of Hadingtoun and shire of Edinburgh, by John of Borthwic of Cruxstoun, Gilbert le Hay of Menyhell and William of Cokburne of le Newehall, his procurators. At Creichtoun 25th October 1452. (*M. and H.*)

Seal of the Chancellor in good condition.

105. 30th Oct. 1452. Instrument of Resignation by Wm. de Cokburne of Newhall to Sir David de Hay of Lochorwart, knt., following on No. 104: Done at the Castle of Zestir, 9 a.m., penult Oct. 1452: Witnesses, Laurence Oliphant, lord Aberdalgy, Alex. de Newtoun of that Ilk, John de Newtoun, Thos. de Newtoun, sons of said Alex., Archd. de Hay, Thos. Harcaris, armigers, and Sir Thos. Atkynsoun chaplain: Alex. Clerk, clerk S. And. dio., N.P., I.a. (*H.*)

106. 13th Dec. 1452. Paper copy in late 15th Century hand of a Charter by David Hay of Lochqwhorwart, knt., to Wm. Lord Crechtoun, Chancellor, of the two parts of the following lands. Lochorvart with the mill, Atquhlek(?), Curry, the Stanis, Brerlot(?) and Medyltoun, lying in the shire of Edinburgh, for the sum of 1240 marks, under redemption: Paying yearly from Medyltoun 4 marks to the Chaplain of the Altar of the Blessed Virgin in the Kirk of Lochqworvart: At Crechtoun, 13 Dec. 1452: Witnesses, Archd. Stewart, first born son of David S. of Castelmelk, David Stewart, brother of said A. S., John Bortqwik of Crukstoun, Archd. Hay, Mr. Peter Crechtoun, prebendary of Abberdoure, Sirs John Hay, and Alex. Grenlaw, chaplains. (*H.*)

106A. 13th January 1452/3. A reversion made be Sir David Hay for redeeming the Landis of Loquharret fra the Lo Chrighton be payment of 1240 markis: 13 January 1452. *No.* 7, 1622 *Locharret Inventory.* (*H.*)

107. 13th January 1452/3. Obligation in vernacular, by Wm. Lord Creichtoune to Sir David the Hay of Lochquhorwart, who is obliged, as soon as the third of the lands of Lochquhorwart comes in his hands, to grant the same to the said Lord, like as he now has the twa part until payment of 1240 marks on the Lady Altar of the Parish Kirk of Lochquhorwart, to restore whole of said lands on payment of the above sum: Crechtoune, 13 January 1452: Witnesses, John Borthwic of Crukstoune, Archd. Malwill, Archd. the Haye, Mr. Peter de Creichtoune and Sir Alex. Grenlaw, priests. (*H.*)

108. 14th April 1454. Charter by Alexander Ysaac son and heir of the late James Ysaac burgess of Hadingtoun, to George Bertrame burgess of Hadingtoun, of two acres of land lying near the town of Hadingtoun, on the north part thereof, within the Harparfeld, near Harmanwel, between the land of Harparfeld on the east and the land of John of Aytoun on the west—Holding to the said George of the King from the granter in fee and heritage. Paying to the King one silver penny at the feast of the nativity of John the Baptist, if asked only, in name of blenchferme. At Hadingtoun 14th April 1454. Witnesses, Archibald of Hepburne, John of

Aytoun, Robert of Haliburtoun, David Lytstar, William Clerk, William of Welt and Alexander Clerk, notary public. (*M.*)

Seal of granter complete, in good condition.

109. 17th May 1454. Copy Charter by David of Hay, Lord of Yhester, Knight, to John of Duncanelaw, of two cottage lands lying in the town and territory of Duncanelaw, within the Constabulary of Haddington, on the north part of the town thereof, between the land of William of Hai on the east, and the land of Master of Soltre on the west ; in fee and heritage. Paying therefor yearly to St. Kentigern in the parish Kirk of Barow, 5 pounds wax at the feast of St. Michael the Archangel ; At Yhester 17th May 1454. Witnesses, Laurence Olifant Lord of Abirdalgy, Alan of Erskyn, Clement of Hay, Sir Alan Blacby, Chaplain, Andrew of Sydserfe, Alexander Clerk Notary public, David Bertram and Thomas of Dale. (Paper.) (*M.*)

110. 28th May 1454. Collation by James, Bishop of St. Andrews, to Sir David Ramsay rector of Keryntoun, of the Provostry of the Collegiate Church of Bothanys, now vacant by the death of Mr. Stephen Ker last possessor of the same at the presentation of the noble man Edmund of Hay, by reason of the ward of the lands of William Maxwell he being of pupillary age. At Dunfermlyng 28th May 1454, an. consec. 15. (*M.*)

Seal gone.

111. 1st June 1454. Charter by Andrew de Sydserf, dwelling in the town of Morhame, to Sir David de Hay, lord of Zester, knt., of his tenant lands, viz. a carucate in the town and territory of Morhame, between the land of Dungall Makdowale on the West, and another cotland of the said lord of Zester on the East : At Zester 1 June 1454 : Witnesses, Gylbert de Hay of Menzane, Alan Erskyn of Carlynglyppis, Wm. de Hay, Thos. Vache, Rob. Alexandersoun, Sir Alan Blakby, chaplain, and Alex. Clerk N.P. (*H.*)

Seal appended entire.

112. 28th July 1454. Charter by William Earl of Errole, Lord de Hay, and Constable of Scotland, to his uncle Sir David de Hay, lord of Yhester, knt., of his lands of Athmure, in his earldom of Errole, and shire of Perth : Paying yearly, if asked, a silver penny on the Feast of Pentecost at the Kirk of Errole in name of blanchefirm : At Edinburgh 28 July 1454 : Witnesses, Sirs Thos. Erskin Lord of that Ilk, Wm. Keth (of) Innerrugi, knights, Walter Hay, brother german of the granter, Gylbert Hay, and John Borthwik, squires, and Richard Lamb, clerk N.P. (*H.*)

Seal appended in good condition.

113. 28th July 1454. Assignation in vernacular, by Wilyame, Erle of Errole, Lorde the Hay, and Constabil of Scotlande, to his eme Schir David the Hay lorde of Yhester of an annual rent of £40 from his lands of Inchemichale and the Kirktoun of Errole liande within oure Erledome of Errole in the schurefdome of Perth, till the payment of 500 marks, the said annual rent to be lifted from the blanche firme lands of the barony of Slanis, Aberdeenshire, in case, be of warde thriddis of ladis etc., it cannot (be) lifted from the first-mentioned lands : Edinburgh 28 July 1454 : Witnesses, as in No. 112. (*H.*)

Seal appended, perfect.

114. 29th July 1454. Bond by William Earl of Erroll, Lord the Hay and Constable of Scotland to "oure deirast Eme" Sir David the Hay, Lord of Yhester, Knight, to keep him skaithless at the King's hands of all inhibition,

charges and commandment that the King made, to him for Lourans Olifant Lord of Abirdalgi, except in the event of bodily sickness which shall be seen and lawfully proved : But in case the said Earl shall fail and not do all as aforesaid so that the said Laurence shall be harmed skaithed or disturbed in his (the Earl's) default, he (the Earl) shall pay to the said Sir David the sum of 500 merks, in security or not payment of the said sum in the College Kirk of the Bothanis in Louthian, within half a year after it happen, he binds his lands rents and possessions to be distrenzeit at the will of the said Sir David. At Edinburgh 29th July 1454. Witnesses, Sir Alexander the Ramsai, Lord of Dalwosy, Knight, Sir David Ramsay provost of the Bothanis, Alane of Erskyn, Gilbert the Hai, John of Borthwik, Squires, and Richard Lamb clerk Notary public. (Paper.) (*M.*)

Part of granter's seal impressed on the document.

115. 4th Aug. 1455. Instrument dated 4th Aug. 1455, according to the computation of the Scottish Church, 6 p.m. narrating that Sir David de Hay, lord of Lochquorwarcht, went to the ancient manor or head place of the lands of Caldsyd, in the barony of Lochquorwarcht ; having understood that John de Falsyd of that Ilk had received sasine—if it can be so called—of the said lands, to the great prejudice of the said David to whom they belong in heritage ; and broke and annulled the said sasine : Done at the said manor : Witnesses, Thos. Hay, Alex. Malwyn, Rob. Waldastoun, Rob. Broun, Stephen Robisoun, John Colchar, John Curry, Alex. Hale, Andrew Persoun, John Wilsoun, Jeorge Jamyssoun : Thos. Imscok, priest S. And. dis., N.P. I.a. (*H.*)

116. 7th Aug. 1455. Instrument narrating that Robert of Ramyssay heir of Sir David Ramyssay, late rector of the parish church of Keringtoun, received fourty pounds scots money from Sir David of Hay, Lord of Lochquorwarcht, upon the great altar in the Kirk of Cokpen, for the lands of Gamyltoun and Yestyr, impignorate to the said Sir David Ramyssay. Dated 7th August 1455. Witnesses, Allan of Erskyn, John Borthwyk, Archibald Hay, Alexander Malwyn, David Ramyssay, Esquires ; also Sirs William Esdale vicar of Cokpen, Peter of Wode, and Alexander Grynlaw presbiters. Thomas Imscok is notary. (*M. and H.*)

116A. 10th December 1456. Ane testificat be the baillies and counsell of hadingtoun quherin they testifie that wm. ramsay brother germane to sir alexr. ramsay of dalhoussie compeirand personalie in the tolbuith of hadingtoun giftit to st edmond his altar in the colledge kirk of bothanes and to sir robert morhame chaplaine ther and his successoris for ther service in the safete of his saull & utheris that land so far as pertenit to him Lyand in the west syde of the sydgait in hadingtoun daittit 10 decr. 1456 nather subt. nor seillit but conteined witnessis in it. *No.* 7, *17th cent. Inventory of the "Edmond Altar of the Colledge Kirk of Bothanes" writs.* (*H.*)

117. 18th April 1457. Instrument on Protest by Sir Alex. Grynlaw, chaplain, on behalf of his lord Sir David Hay of the Zester, knt., that the cession or omission of the Hospital of Bygre and the reception of the Chaplainry of S. Tanew near Glasgu should not be to the prejudice of D. H.'s right of patronage : Done in the Castle of Cummernalde, 10 a.m. 18th April 1457 : Witnesses, Sir Thos. Atchynson, Chaplain, John Louthzane, and Thos. Auld : Wm. Tode, pr. of Glasgow dio., N.P. I.a. (*H.*)

118. 12th June 1457. Letter of Presentation by Edmund Hay of Talow, patron of the parish kirk of Morhame as holding the ward of the lord of Teling, to James, Bishop of S. Andrew for collation to Sir John Yhonge, vicar of the

kirk of Strathethinmartin, of the said kirk of M. resigned by Mr. John Maxuel, Rector of Morhame : At Morhame, 12 June 1457. (*H.*)

Parchment, seal gone.

119. 1st July 1457. Instrument, at the instance of Geo. de Cunninghame, son and apparent heir of Wm. de C. of Beltoun and Snade, narrating that Rob. Fergusson asserted he had been retoured to the lands of Achinrane, in the shire of Dumfreis and barony of Snade, upon the 15th Sept. in the burgh of Dumfreis before Sir Rob. de Krichtoun of Sanchquar, the sheriff: Dumfreis, 1st July 1457, Done at 1 p.m. in the tenement of John Dougane and booth of Rob. Atzinson : Witnesses, Thos. de Vemis, Simon Salman, esquires, and Rob. Atzinsoun, burgess of Dumfreis : John M'Ilhauch, clerk of Glasgow dio., N.P. I.a. (*H.*)

120. 12th March 1457/8. Letter of manrent, in vernacular, by Rob. Fergusoune to his worschipful lorde Wilyam of Coninghame lorde of Snade ande his ayris, for a new infeftment of his lands of Brakansyde : Edinburgh, 12th March 1457 : Witnesses, John of Lumsdene of Ardre, Thos. of Myrtoun of Cammow, Thos. of Wemys, Vedast Grersoun of the Lag, Roger of Kyrkpatrik of the Knok, and Gilbert of Lumsdene. (*H.*)

Seal appended, perfect.

121. 1st July 1458. Instrument narrating that David Hay of Yestir, Knight compeared and asked from the King the lands of Morhame which had been recognosced by the King as dimitted at wadset, which the said King, after a short time, having had debate upon the matter, granted, and relaxed the lands to Sir David. Dated 1st July 1458. At the Kirk of the Friars Preachers of Perth. (10 a.m.) Witnesses, Sirs Thomas and Thomas, of Whithorn and in the universal Church, Bishops, Master David Crannoch, David Crechtoun, and Robert Napar. Henry Logane, notary. (*M.*)

122. 26th July 1458. Instrument on the Submission by Dame Marioun of Dowglas prioress of Hadington and convent thereof, on the one part and Sir David Hay Lord of Lochorwort and Yester Knight, on the other part, whereby they agree to abide by the Decreet of 3 or more of the following persons viz. John Lord Lyndissay of the Byris, Sir Patric Hepburn of Waulchtoun, Knycht, James Home of Elstanefurd, William Lindissay of Garmyltoun, George Synclar of Banglo, John of Swyntoun of that Ilk, Henre of Ogyl of Popil, John of Newtoun of that Ilk ; anent the boundaries and extent of the lands of West Hervystoun pertaining to Lord Lyndissay and Bernard of Halden, with the lands of Nwn Hervystoun and also of Oxtoun : Submission (Notarial Copy) dated 26th July 1458. Witnesses, John Lindissay, Alexander Grame, Sym Heryot, John Grame and Thom of Bekyrtoun. Instrument dated 6 p.m. 7th February 1458, in the house of Archd. Hepburne, Haddington : Witnesses, Robert of Erskyn, David of Erskyn, Archibald of Lyil, Archibald of Hepburne, John Doby, Alan and Alan Broun. Alexander Clerk, notary. (*M. and H.*)

123. 31st March 1461. Decreet of Parliament held at Edinburgh 14th March 1460, in a question between Sir David Haye of Yestir Knight, on the one part, and Edmond Hay his brother on the other part anent the lands of Morhame ; decerning that the Act made in the Parliament of King James II. the 29th January 1449 for John Lyndesay of Dunrod against the said Sir David the Haye anent the lands of Morhame be execute, excepting 3 acres of the thymis of Moreham and about it, on which the tour and house of Moreham is built ; upon which the Lords continues the debate thereof on to Wednesday

11 days after Pasche, which shall be the 15th April next, at Stirling, or wherever the Council happens to be, to which diet the saids Sir David and Edmond are summoned, and ordaining that the said lands (except the 3 acres foresaid) be let to the said Sir David, with the lands called the Walkmyln of Wyndan, the Soumys of Pontonis landis, Lachisland in Duncanelaw, and 12 merks of annuel-rent of the lands of Yester. Given under the Great Seal at Edinburgh 31st March 1460. (*M.*)

Fragment of Great Seal attached.

123A. 7th Feb. 1461/2. Transumpt, by way of Instrument, of Transumpt, (No. 71A) of Charter (No. 70) by James I. at the instance of Sir David Haya lord of Zestir, knt.: Done in the Parish Kirk of Linlithqw 7 Feb. 1461: Witnesses, Sirs Rob. Man and David Bel, Chaplains, Nicholas Haya, Archd. Malvil, and Thos. Todrik: Alex. de Foulis, clerk S. And. dio., N.P., I.a. (*H.*)

124. 7th July 1462. Charter by David de Hay lord of Zestir, knt., to John le Haye, his son and apparent heir, and Mariota Lindesay his spouse, because of marriage contracted between them, of his lands of Westirhopprew with pertinents, except the meadows called Tarffis medow and the Hall medow, also his lands of Fulyart, Schelehope, and Wyntirhope in the barony of Lyne, and an annualrent of 4½ marks from his lands of Crammalde in said barony, all in the shire of Peebles: To be held by the said J. and M. in conjunct (fee) and their heirs, etc. in fee and heritage of the King in Ward and relief: At Zestir, 7 July 1462: Witnesses, John Lindesay, son of John, Lord Lindesay of the Biris, Wm. Cokburne of Newhall, Nicholas Haye, Wm. Haye of Menzane, Wm. Lindesay of Garmyltoune, Ard. Hepburne, Wm. Hepburne, Alex. Hepburne, Pat. Haliburtoun, and Alex. Clerk, N.P. Contained in Great Seal confirmation following, see No. 124A. (*H.*)

124A. 27th August 1462. Confirmation under Great Seal of No. 124: Edinburgh, 27 Aug. 1462: Witnesses, Andrew, Bishop of Glasgow; Andrew, Lord Avandale, Chancellor; Colin, Earl of Ergile, Archd., Abbot of Holyrood of Edinburgh; Gilbert Lord Kennedy; Rob., Lord Boide; Masters James Lindesay, Provost of the College Kirk of Lincloudane; and Arch. de Quhitlaw, Secretary. (*H.*)

Fragment of Great Seal appended. (Not in Reg. Mag. Sig.)

125. 19th March 1463/4. Instrument of Sasine on Sale by William of Furde burgess of Haddington in favour of George Bartrame burgess of Edinburgh, his heirs and assignees, of a stone stair lying and built between the tenements of the saids William and George, in the burgh of Haddington on the west side of the Hardgate thereof; Dated 19th March 1463. Witnesses, Patrick of Cokburn of Newbyggyn and William of Haliburtoun, bailies of the said burgh, Robert of Haliburtoun, Robert Galway, Richard of Cokburn, Walter of Cokburn his son, Robert Congyltoun, William Galway, Robert Cristisoun and John Hugon. Alexander Clerk, notary. (*M.*)

125A. 5th April 1464. Imprimis ane ratificatione & confirmatione (be way of instrument) grantit be dowgall mcdowell sone & air of umqll. dowgall mcdowell of mckarstoune his father to st edmond his altar in the colledge kirk of st. (*sic*) bothanes & to the chaplaine servand the cure ther for ever of the peic of land in gamilstoun Lyand neir the sd. Kirk in augmentatione of the manse of the sd. chaplaine of ane chartor conteinis ane frie gift of the same noter thereto is alexr. clerk of the dait 5 ap. 1464. *No.* 1, *17th cent. Inventory of the "Edmond Altar of the colledge Kirk of Bothanes" writs.* (*H.*)

126. 6th Oct. 1464. Paper Indenture, in vernacular, dated Peebles, 6th Oct. 1464, between John the Hay of Westir Hopprew and Master Rob. Esse, Vicar of Stobo, anent the Edificatioun and Reparacoun of S. Michael's chapel of Wester Hoprew; whereby the vicar agrees to contribute £20, of which £5 is paid, and the rest to be paid within 20 days, which sum quit-claims him for life: Witnesses, Wm. of Cokburne of Cakmuwr, Mr. Thos. of Cokburne, Necol the Haye, Thos. the Haye, Schyr Ademe Fylder, and Thos. Zounge. Signed "Robtus vicaus de Stobo manu ppa." The seal of Sir Richard Purdy, Vicar of Petynane, because R. E. had none, has been impressed, but is gone. Also signed but smudged out, "John ye hay manu ppa." (*H.*)

127. 12th Nov. 1465. Collation by David prior of the Cathedral Kirk of S. Andrews, and Vicar General in the vacancy of the See thereof, to Sir Wm. Tothryke to that prebend in the College Kirk of Bothanys, vacant by the death of Mr. John Belle, the last possessor on presentation by Sir David de le Hay of Lochquhorwrte knt.: S. Andrews 12 Nov. 1465. Seal of office of the Vicar General appended in good condition. It bears, beneath the effigy of S. Andrew on his cross within a canopy, etc., a shield with a saltire. To the second tag (*cauda*) is appended the seal of Mr. Wm. Foular, Dean of Haddington, in sign of his having given institution. (*H.*)

128. 26th Nov. 1465. Charter by William Hay, Knight, son and heir of the late Edmund Hay of Thallow, to the altar of St. Edmund situated in the Collegiate Kirk of Bothanis, and Sir Robert Morhame chaplain of the said altar and his successors, of the Milnelands of Duncanelaw, lying on the north part of the Water of Zester opposite "le Bothanis" within the barony of Duncanelaw, and an annual-rent of 26 shillings 8 pence scots, furth of the lands of Wyndene lying in the said barony, constabulary of Haddington and shire of Edinburgh and failing the lands of Wyndene, the said annual-rent to be taken furth of the lands of Lynplum—in pure and perpetual alms. At Hadington 26th November 1465. Witnesses, Sir John Cokburn, vicar of Caldorcler, John Zong rector of Morhame, James Lempatlaw vicar of Makcarstoun, James Ballyngal, chaplain, Robert Grenlaw and Alexander Clerk, notary public, burgesses of Hadingtoun. (*H.*)

Seal gone.

129. 3rd Dec. 1465. Testimonial of Sasine by Archd. Lill following on precept by Sir Wm. de Hay, son and heir of umquhile Edmund de Hay of Talow, dated Haddington, 26 Nov. 1465, to Archd. Lill, Rob. Grenlaw and Wm. Geddes his baillies following on his Charter, No. 128, given by stone and earth at the Mylnland and at the head messuage of Vyndene by delivery of a penny: Seal of Lill, as baillie, appended at Bothans said date: Witnesses, Jas. Lempatlaw, vicar of Makcarstoun, Wm. Hay, Alex. Morhame, Dav. Bartre, Wm. Morhame, and Gil. Duguid. (*H.*)

Lill's seal appended in fair condition.

129A. 7th Feb. 1465/6. Ane instrument of Sasine of the quarter of the landis of Linplum gevin be Dungall McDowalle uppoune the retour of Sir Wm. Hay of Tallo the 7 of february 1465, under the subscriptioune of Alexander Clerk Notar. *No.* 39, 1617 *Linplum Inventory.* (*H.*)

130. 12th July 1466. Instrument narrating that Archd. Malvyn, procurator for Sir David Hay of Zestir, knt., asked Malcolm, Abbot of Arbroath, superior of the lands of Etkcarmure, which he had had (*sic*) recognosced in his court held by Dav. Heriss of Deryn at Arbroath, to relax the said cognition and demit them *ad plegum*, which the said Abbot did: At the town of Arbroath, 11 a.m.

12 July 1466: Witnesses, Wm. Baldovyn of that Ilk, Alex. Stewart, Henry Ffechy, and Mr. Thos. Dickyson: Wm. Calwart, clerk S. And. dio., N.P., I.a. (*H.*)

131. 14th July 1466. James be the grace of god king of Scottis To our lufed Williame the Haye of Ury greting: ffor alsmekil We be the avise of our consele his understanden that our lufed David the haye of Yhestre knight has a confirmacone of his landis of Admure the whilk landis ye clayme to have in entermetting be resone of tak of our Warde of Eroll: We charge yhu straitly that yhe distrouble na vex nought the saidz landis of Admure na the tenendz of thaim na intermettis nought with thaim as yhe Wil ansuer us and our consele tharapoun: undir alle payne and charge may efter folow: Geven under our signet at Strivelyne the Xiiij day of Julij: the yher of our Regne the Sext (Jas. III. a.r. 1466). (*H.*)

Written on a long narrow strip of paper; fragment of signet impressed remains.

131A. 20th Janr 1466/7. Ane precept of seasing grantit be wm. hay of thalow for infefting of sir robert morham & his successoris chaplaines at st. edmondis altar in augmentatione thereof of his cotland in Dunkanlaw seillit & not subt. at hadingtoun 20 of Jar. 1466. *No.* 5, *Edmond Altar Inventory.* (*H.*)

132. 26th Janry. 1466/7. Notarial Transumpt of No. 58 by Pat. de Cokburne of Newbigging, sheriff depute of Edinburgh in the constab. of Haddington, sitting in judgement in the Tolbooth of H., at the instance of Archd. Lyil, attornay of Sir D. de Hay lord of Zestir knt: Tolbooth of H., 26 Janry. 1466: Witnesses, Sir John de Swyntoun of that Ilk knt., Wm. de Cokburne of Newhall, Wm. Balze of Hepryg, Sir Wm. de Hay knt., John de Newtoun of that Ilk, Wm. Haliburtoun, Wm. Hog, Edward de Creichtoun, John de Aytoun, and John Crosar: Alex. Clerk, clerk dio. S. And., N.P., I.a. (*H.*)

Seal of sheriff appended in fair condition, chipped.

133. 12th March 1466/7. Retour of inquest made in the Court of David of Hay Lord of Zester and baron of Duncanlaw, Knight, before Archibald Lill baillie on 12th March 1466, by George Lil of Stanepeth John Newtoun of that Ilk, Ochtred MacDouel, Henry Ogil of Popil, James Lyil, Johne Gedas, Archibald Malwyn, Alexander Newtoun, William Chernsyd, Cuthbert Abernethy, Archibald Dal, William Dewer, Patrick Trottar, Alexander Morham and Johne Carne, finding Sir William of Hay, Knight, lawful and nearest heir to the late Edmund of Hay of Thalow his father, in the quarter lands of Lynplum, lying in the barony of Duncanlaw, shire of Edinburgh and Constabulary of Hadington: Which lands are valued at 2 merks in time of peace; and hold of the Lord of Zester, as baron of Duncanlaw, in chief—and were in the hands of the said Lord for the space of 3 years from the death of said Edmund through defect of the true heir not following his right thereto. (*M.*)

The seals of five of the members of Inquest are appended, three of which partly broken.

134. 2nd April 1467. Instrument of Assedation by Dame Annabella Boyd relict of Edmund of Hay of Thallow with consent of Patrick of Dunbar Lord of Bele then her spouse, to Sir Robert Morhame chaplain of the altar of St. Edmund, the King and martyr, situated in the Collegiate Church of Bothanis, and his successors of the terce of a "terre cotarie templarie" lying in the town of Duncanelaw, and the third part of the mylnlands, lying in the

territory of Duncanelaw, belonging to her terce by the decease of the said Edmund Hay her husband, Which lands &c., William Hay, Knight, her son, gave to the said altar in augmentation of the infeftment by the said late Edmund Hay ; in pure and perpetual alms : Dated 2nd April 1467, in the Cloister of the Friars Minor of Haddington, 3 p.m. : Witnesses, Sir John of Swyntoun of that Ilk, Knight, Sir William Hay, Knight, Edmund of Hay his brother, William Home of Rauchburn, Robert of Grenlaw, John Geddes and James Colylaw : Alexander Clerk is notary. (*M. and H.*)

135. 8th May 1467. Retour of Inquest before Thos. de Hay, baillie of Sir D. Hay lord of Zestir and of Hoprew, knt., on 8 May 1467, at Thankertoun by the following jury, Geo. Chansler of Cothquene, Alex. Bailye of Cormastoun, Wm. Broun of Hertre, Thos. Portus of Hawkschawis, Thos. de Sandelandis of Myddilryg, Wm. de Callyrwod of Tode, Wm. de Geddes of Ladehurd, Jas. de Tuedy of Cordoyn, John Inglis of Hangandschaw, Simon Fresail, Rob. de Threpland of Mychelhil, Jas Somervil, Rob. Welch, John Patonsoun, and Thos. de Balkasky, finding Chas. de Geddes, heir of his father, umquhile John de G. in 10 bovates of land of Thankertoun (etc., as in No. 39) worth 100s. per annum, in superior's hands for 6 weeks through the death of said John G. (*H.*)

136. 3rd Aug. 1467. Instrument of Sasine by Archd. Lyil, baillie of Sir D. de Hay lord of Zestir knt., to Sir Wm. de Tothryk, chaplain, of the liferent of an annualrent of 5 marks from Sir David's lands of Blannis : Done on said lands, 11 a.m. 3 Aug. 1467. Witnesses, Sir Jas. Ballyngal, chaplain, Adam Daw, serjeant, Jon Ker, Pat. Cristisoun, Wm. Gourlay, and John Johnnsoun : Alex. Clerk, notary. (*H.*)

Seal of baillie appended in good condition.

137. 24th Oct. 1467. Instrument on the relaxation of the lands of Glencotho, Peeblesshire, which had been recognosced at the King's command, by Andrew, Lord Avendale, the Chancellor of Scotland at the petition of Thos. Haya, procurator for Sir David Haya of Zhestir knt., in the presence of the other Lords of Council : Done in the King's Palace Linlithgow, 3 p.m. 24 Oct. 1467 : Witnesses, Colin, Earl of Ergile and Lord Campbel ; Rob., Lord Boyde ; Rob., Lord Lile ; Mr. Jas. Lyndesay, provost of Lincloudane ; Mr. David Guthre, Comptroller of the Rolls ; and Mr. Archd. Quhitlaw the King's Secretary : Alex. de Foulis, clerk dio. S. And., N.P., I.a. (*H.*)

138. 28th July 1468. Instrument of Sasine by Thos. de Hay, baillie of Sir David de Hay, knt., lord of Zester, to Alex. Lokart, attornay for Sir Wm. Hay, knt., of an annualrent of 2½ marks from the lands of Westerhopprew : Done at Hopprew, at the gate of the house of said T. H., 9 a.m. on 28 July 1468 : Witnesses, Geo. Geddes, Edward Boroniam, Thos. Stewinsoun, Thos. Blak, and Wm. Millar : And. Zonge, priest Glasg. dio., N.P. I.a. (*H.*)

139. 22nd Nov. 1468. Instrument, at the instance of Sir David Hay of Zestyr, knt., upon his consent to pay expenses of Patrick, Abbot of Newbotyle of the Cistercian Order, judge and executor of certain apostolic letters and processes of the Pope, obtained by the said Sir David against Rob. Lord Flemyng upon the right of Patronage of the Parish Kirk of Bygar : Done in the College Kirk of Dalketh, 11 a.m. 22 Nov. 1468 : Witnesses, Hugh Douglas of Borg, John Cranstoun of Svynhop, Jas. Flemyng of Bord, John Neutoune of that Ilk, John Gyfferd, Mr. Alex. Gyfferd provost of College Kirk of Dalketh, Mr. Jas. Dowglas, prebendary of said Kirk, John Burnet, John Stanhouss, Wm. Gybson, John Hatle, chaplains, Masters Rob. Cottis and John Lokhart, notaries, Nycholas Watson, Geo. Dowglas, Dav. Wrycht, Thos. Barbure, and Thos. Stanhouss : Rob. Halywell, priest dio. S. And., N.P., I.a. (*H.*)

140. 1468. Paper schedule of excerpts produced on behalf of Robert Lord Fleming before the Abbots of Newbotyl and Dribruch, mentioning the Apostolic letters obtained by David Hay of Yester addressed to the Abbots of Newbattle and Dryburgh and Official of S. Andrews, delegated Judges in the cause between him and Rob. Lord Fleming anent the patronage of Kirk of Biggar: Appeal by D. H. to Mr. Symon de Dalgless Precentor of Glasgow, Judge depute by the ordinary: Citation of Lord Fleming at the Kirk of Kyrkyntuloch and Castle of Cummyrnalde: etc. Undated. (*H.*)

140A. 17th December 1468. A contract of mariage betuix Jon hay sone to david Lord of Zester and elizabeth cunninghame dochtir to geo. cunninghame of beltune of the daitt the 17 day of december 1468. *No.* 15, 1619 *Belton Inventory.* (*H.*)

140B. 18th Decr. 1468. Ane band (of) Interdictioun quhair Sir Wa. Cunninghame of beltune Knyt and geo. cunninghame his sone band thameselffis to the said Jon hay that they sould not analie nor dispone any of thair Landis without his consent of the daitt the 18 of decembr. 1468. *No.* 16, 1619 *Belton Inventory* (*H.*)

141. 18th Dec. 1468. Obligation, in vernacular, by Sir Wm. of Cunyngame of Beltoun, knt., and Geo. of Cunyngame, his son and apparent heir, to pay 1000 marks to John the Hay, son and apparent heir of Sir David the Hay of Zestir, knt., "becaus of maryage to be made betuix the said Johne the hay and Elisabeth of Cunyngame the dochtir of me the said george gif it happynis that God providis me the said george til haf ony ayris male lachfully gottyn of my body," to be paid in instalments upon the High Altar of the College Kirk of the Bothanis, the first £50 on Whitsunday or Martinmas in Winter "eftir that it be notourly knawyne that I the said george haf ony heirs male etc.": Haddington, 18 Dec. 1468: no witnesses. (*H.*)

Seal of Sir Wm. is appended in good condition. That of Geo. C. is gone.

142. 18th Dec. 1468. Obligation, in vernacular, by John the Hay, son and apparent heir of Sir David the Hay of Zestir, knt., to Sir Wm. of Cunyngame of Beltoun, knt., and Geo. of Cunyngame his son and apparent heir, "in the soume of a thousand markis of usuale mone of Scotland becaus of maryage to be made betuix me the said Johne the hay and Elisabeth of Cunyngame the dochtir of the said george of cunyngame gif that god providis that the said Elisabeth the dochtir of the said george beis ayr to the saidis schir William or george of all the landis belangyng to the saidis William or george excepand the landis that war talzeit of ald tyme," to be paid in instalments on the Altar of the Chapel of Beltoun, the first £50 on Whitsunday or Martinmas in winter "eftir that it be notorly knawyne that the said Elisabeth is ful ayr to the saidis Schir William or george." Haddington, 18 Dec. 1468: no witnesses. (*H.*)

Seal of John Hay appended in fair condition.

143. 25th Feb. 1468/9. Letter in vernacular under the testimonial of the Great Seal narrating decreet of the Parliament held at Edinburgh by King James III. 23rd February 1468: In which Alexander Cokburne and Matho Cokburne are ordained to "devoide and red" the lands of Crammalde, and Uuer Megot, to Sir David the Haye of Yestir, Knight, and to find caution in 300 punds that they shall not intromite with the said lands, or disturb the said Sir David therein in time coming, and to pay 5 merks of costs. At Edinburgh 25th February 1468. (*M. and H.*)

Quarter seal.

144. 14th May 1469. Letter from James III., in vernacular, to David the haye of Zestir knicht, about the contention between Hay and Robert Lord Fleming over the patronage of Biggar Kirk, forbidding him and his friends to come in "fere of were," against the sonnys of Fleming to whom he has also written, "for the gadering of lammys woll and uthir teyndis and dewiteis pertening to the said personage," because he has ordered the Vicar General of Glasgow to sequestrate the fruits of said parsonage in the hands of Maister Adam of Cokburne of Scraline to be kept by him on behalf of the party who finally obtains the parsonage by process of law : Given under the Signet at Edinburgh 14 May and year of reign the ninth. (1469) : Signed James S.R. (*H.*)

Impression of Signet gone.

145. 3rd August 1469. Papal Dispensation direct by Phillip Bishop of Albano to the Bishop of Glasgow or his vicars for the marriage of John Hay laic and Elizabeth de Cunyngham being in the fourth degree of consanguinity. Dated at St. Peter's Rome 3rd August in the fifth year of the pontificate of Pope Paul II. (1469). (*M.*)

The official seal of the Penitentiary is appended.

146. 24th Sept. 1469. Instrument narrating that John Hay, son and apparent heir of Sir David Hay of Zestir, procurator of Andrew Hay, Rector of Bygar, passed to the Parish Kirk of Bygar ; presented to the notary certain apostolic letters or bulls of Pope Paul II., dated 10 Kal Dec. 1468, with a process executorial by Francis, bishop of Terinsin, judge and executor in this case, under the subscription of John Bectonibus, notary and tabellion, confirming the dimission of the late John Arroys last possessor ; and upon the reading thereof requested Patrick Bochut, curate of the said kirk, to give him possession as procurator, which the said Patrick did, giving him possession of the said Rectory with all its fruits, rents and emoluments, with glebe, toft, croft and manse, by delivery of the keys of the door and ornaments of the Altar, immediately after solemn mass : Done 11 a.m. 24 Sept. 1469 : Witnesses, Wm. de Callerwode of that Ilk, Arthur Flemyng, Ninian Callerwode, John Crawfurde and Andrew Lowys : Wm. Fergusii, vicar of Crawment Dunkeld dio., N.P., I.a. (*H.*)

147. 30th Sept. 1469. Instrument on the presentation by John Hay, etc., as in No. 146, of bulls by Pope Paul II., dated S. Peter's, Rome, 1468, and a Process by Francis, bishop of Terinsin in the city of Rome, anent Biggar to Andrew, Bishop of Glasgow and their fulmination by him : Done in the Bishop's room in his City of Glasgow, 6 p.m. 30 Sept. 1469 : Witnesses, Thos. de Forsyth, canon of Glasgow, Thos. de Hay, Nicholas de Leodio, and Roger de Murhede : David Rede, priest, Glasgow dio., N.P., I.a. (*H.*)

148. 11th Oct. 1469. Decreet by way of instrument by Gaspar de Theramo, Dr. of Decreets Provost of the Churches of Tridentin and Lausanen, Chaplain of the Pope and his holy Palace and Auditor of Causes specially depute, in the cause between Sir David Hay, lord of the place of Zestir, and Rob. Lord Flemyng over the right of patronage and presentation by turn to the Parish Kirk of Bigar, as stated in a petition by John March Rector of Bigar against Andrew Hay, pretended clerk ; procurator for Hay, Mr. Antony de Rugubis, for March, Mr. Peter de Milinis : Dated at S. Peter's, Rome, Wednesday 11 Oct. 1469 : Witnesses, Masters Egidius Dass and Herman Plenyneli, Notaries Public writers, and our clerks of the monastery and diocese of Leodin : John Hagenwiler, clerk of the dio. of Constance, N.P. A. and I.a. (*H.*)

Seal, which has been attached by cords, is gone.

149. 10th Nov. 1469. Charter by Sir David Hay of Zestir, knt. to his son and heir apparent, John Hay, of an annualrent of 2½ marks from the lands of Westir Hoprew, in the barony of Hoprew, and shire of Peebles, resigned by his kinsman Sir Wm. Hay of Tallo, knt.: Zestir, 10 Nov. 1469: Witnesses, John Guvane of Cardrono, Ninian Lowis, son and heir apparent of Thos. L. of Mennare, Archd. Lile, Jas. Lile, Wm. Hay of Mynzet, Thos Hay, Richard Bissate, Rob. Lowis, and Wm. Geddes. (*H.*)

Seal appended.

149A. 23rd Nov. 1469. Ane procuratorie of resignatioune of ane quarter of the landis of Linplum maid be Sr. Wme. hay of Tala in the handis of dungall mcdowgall Daitit the 23 of november 1469. *No.* 79, 1617 *Linplum Inventory.* (*H.*)

150. 25th Nov. 1469. Instrument of Resignation by Sir Wm. Hay of Tallow knt. to Sir David Hay of Zestir knt. as superior of an annualrent of 2½ marks from Wester Hoprew in favour of John Hay (as in No. 149): At Edinburgh in the hospice of Martin Mannewell, 11 a.m. 25 Nov. 1469: Witnesses as in No. 149: Thos. Unthank, clerk S. And. dio., N.P, I.a. (*H.*)

Seal of Sir Wm. Hay appended, in good condition.

151. 25th Nov. 1469. Paper Letter of Warrandice by Sir Wm. Hay of Tallo knt. of his resignation to John the Hay son and heir of Sir D. Hay of Zestir of 2½ marks annualrent from Westir Hoprew, see No. 150, and in especial that J. H. should not be vexit by Annabell Boid "my moder" now the spous of Patric Dunbar of Bele nor by the said Patrick for her third or terce of said annualrent the granter's lands of Tallo and Kingildurris becoming liable for the amount: Edinburgh, 25 Nov. 1469: no witnesses. (*H.*)

Seal impressed, quite gone.

152. 27th March 1470. Collation by Patrick Bishop of S. Andrews to Sir John Walas, procurator of Sir David Gundy prebendary of Kirkbank in the College Kirk of Bothans, of the prebend of the Alter of S. Ninian in the said Kirk, vacant by the resignation uf Sir Wm. Tothrik, on presentation by David Hay of Lochorwart: At the Palace (palatium) of Petyniveim, 27 March 1470: and 6th year of consec. Witnesses, Masters Wm. Blar vicar of Carale, Jas Dowglas, and Wm. Mowat, Pat. Annand and Sir John Gray N.P. (*H.*)

Both seals gone.

153. 27th March 1470. Collation by Patrick Bishop of S. Andrews to Sir Wm. Tothryk, prebendary of the Altar of S. Ninian in the College Kirk of Bothanis, to the prebend of Kyrkbank in the said Kirk, vacant by resignation of Sir David Gundy through his procurator Sir John Walas, on presentation by Sir David Hay of Lochorwart knt.: At the Palace of Petynweim, 27 March 1470: Witnesses as in No. 152. (*H.*)

Round seal of the Bishop appended in good condition, and, in sign of his having given institution, the seal of Mr. Wm. Foular, Dean of Haddington.

154. 13th April 1470. Indenture between Sir David the Hay of Yester, Knycht, on the one part and Sir Robert of Morham perpetual Chaplain of the Altar of St. Edmund, within the College Kirk of Bothanis, whereby the said Sir David sets and in feuferme letts to the said Sir Robert his part of the Walkmyln lands of Duncanlaw, with a part of the said lands now pertaining to the said

altar, and to the said Sir Robert and his successors, by assedation in feuferme made by his sister's son Dungal Madowal of Malcarstoun and portioner of the lands of Zester, Duncanelaw and Morham ; with another part of the said Walkmyln lands set to the said Altar and chaplain by William the Hay of Talow, Knicht, son and heir of Umquhil his (the granter's) brother Edmund the Hay of Talow ; Which Assedations the said Sir David hereby confirms ; with freedom to the said Sir Robert "to byg his walkmyln and to lay and bynd a part of his dam on the manis of Zester oure the water ryunand betwyx the baronis of Zester and Duncanlaw and to tak up rutis and bushis with erd and stane to byg and beit the said dam and the lade of it sal ryn fra the gret water to the Welburne thruch the commone of Duncanlaw and Duncanis bog and fra thin it sal ryn to the said Walkmyln for to be byggit in the Walkmyln croft within the fulze of Duncanlaw forgan the Bothanis and the wayflame behynd the myln pot sal pas oure the gate that gais fra the Bothanis to Duncanlaw and sal ryn agan in the Water at the south end of a Cotland pertenyng to the said Schir David." Holding of the granter in feuferm for yearly payment of 20 shillings scots : Sasine given to Sir R. M. in confirmation by Sir D. H. : Dated at the College Kyrk of Bothanis 13th April 1470 : Witnesses, John the Hay son and apparent heir to the said Sir David, William the Hay, Andro the Hay, and Robert the Hay also sons of the said Sir David, Sir Richard of Knollis vicar of the Bothanis, Sir James of Lempatlaw, Vicar of Malkarstoun, Sir Nichol the Hay, Sir David Gundy prebendaries of the said College Kirk, Sir James Baungall, Sir Dungall the Hay and Sir George Kylow chaplains. (*M. and H.*)

The seal gone.

155. 28th May 1470. Instrument of Submission by Robert Lord Flemyng and Sir David Hay of Yhestir knt., in the cause between them over Hay's lands in the lordship of Bigar, the patronage of the Parish Kirk and the Hospital of Bigar, and Fleming's lands in Twedal, to the following arbiters, Rob. Fleming son of said Lord, Thos. Fleming brother of said Lord, Sir Thos. Atyhinsoun priest, Geo. Cunynghame son and apparent heir of Wm. C. of Beltoun knt., Thos. Lowys of Mener, Sir John Cokburne vicar of Caldirclere, Masters John Ottirburne Official of S. Andrews in Lothian, and Wm. Foular vicar of Kilmachome, and Sir Richard Robertson (Roberti) canon of Aberdeen : Edinburgh 28 May 1470, in the room of the said Official at 9 a.m. : Witnesses, Malcolm Fleming son and apparent heir of Lord F., John Hay son and apparent heir of Sir D. H., Wm. Hay, Thos. Hay, Valter Twedy, Wm. Burne, Mr. David Huchisoune and Sir Matthew Dalgless priest : Rob. Cotis, priest Glasg. dio., N.P., I.a. (*H.*)

156. 28th May 1470. Duplicate of the foregoing, written in a less elaborate style on a smaller piece of parchment. (*H.*)

157. 29th May 1470. Instrument narrating Decreet, in vernacular, by the Arbiters appointed in No. 155 (John Otterburn is here styled Licentiate in Decreets, Provost of Methven, Canon of Glasgow, and Official) decerning that Lord Fleming is to have all the lands of the lard Yhestir in the barony of Bigar with the patronage of Kirk and Hospital of B. in exchange for his (Fleming's) barony of Olivercastel and the half of over Kyndildoris with the superiority of Frude, Polmude, Cokkeland, and Glenquotho, the quhilk the half ourlordschip pertenyt to the said lord flemyn of befor Reservand to the lorde of a chemis within and a square acre of Olivercastel lying between the Kingis streit and the berne burne ; and the Lord F. to make his cousin Andro Hay son of Sir D. H. a yearly pension of 25 marks, the said Sir D. H. and A. H. resigning all claim to the patronage etc. : ratifying the sentence dimissive by Masters Simon of Dalgless and Martyn Wane upon said patronage etc. : and Fleming and Hay to pass this nycht or to morne be none at the ferrest befor oure soverane lord and Ilkane of yhame to mak Resignacionis of the forsaid landis

eftir the tenor of this decreit, signed by all the arbiters and written by one of their number, Geo. Cunninghame, at Edinburgh 29 May 1470: Done in the room of the said Official in Edinburgh, 1 p.m. 29 May 1470: Witnesses, Malcolm Fleming son and apparent heir of Lord F., John Hay son and apparent heir of Sir D. H., Thos. Hay, Walter Tuedy, Wm. Menteith son and heir of John M. of Kerss, Wm. Burne, Rob. Burne, Adam Mwr and Alex. Howysoune: Rob. Cotis, notary. (*H.*)

158. 29th May 1470. Duplicate of the foregoing, written in less elaborate style. (*H.*)

159. 30th May 1470. Obligation by Rob. Lord Fleming in terms of the decreet, No. 157, to his cousin Andrew Hay son of Sir D. H. of Yhestir knt., of a yearly pension of 25 marks payable in two portions, at Pentecost and Martinmas in winter, within the Parish Kirk of Bigar for all the days of Andrew's life: At Edinburgh, 30 May 1470. (*H.*)

Seal gone.

159A. 1st June 1470. Sixteenth century copy (see 8 March 1525/6) of a Letter from the King under the Privy Seal narrating that for certain causes shown to the King and Council by David Hay of Zestir, Knight, "that the wilfulness of the said David will nocht be rewlit be ressone in the governance of himself his landis and possessions tharfor apone the gud zele and favouris that our progenitouris and we had and has to the said David and his antecessouris for thair trew service and lawte that thay and he has kepit to our said progenitouris and us in all tymes bygane, our will is that the said David aeris prospir and procede to his heretage but devision or alienatione of the samyn. Tharfor we charge stratly and commandis all and sindry our liegis and subditis spirituale and temporale that nane of thame tak apon hand to by ony landis wedsettis gyf formalis or tak obligationis or any uther maner of feftmentis fra the said David in tyme cuming that may be prejudice to Jhone the Hay his sone and apperand air or to thame that cumis of hym lauchfully undir all the hieast pane." At Edinburgh 1st June 10th Year of the King's reign, 1470. (*M.*)

160. 12th July 1470. Crown Charter of Confirmation in favour of John le Haye son and apparent heir of David le Haye of Yestir, Knight, of the lands of the barony of Oliverecastel and half of the lands of Vuyr Kingildurris, with the superiorities of the tenandries of the lands of Frude, Polmude, Coquelande and Glenquotho, lying in the Sheriffdom of Peebles; on resignation by Robert Lord Flemyng in Excambion with the said David le Hay, Knight, for his lands in the barony of Bigare, with the right of patronage of the church and Hospital of Bigare. Holding of the Crown in fee and heritage, for the usual services. Reserving to the said Robert Lord Fleming one messuage of the lands of Oliverecastell. At Edinburgh 12th July 1470. Witnesses, Andrew, Bishop of Glasgow; Thomas, Bishop of Aberdeen, Keeper of the Privy Seal; William, Bishop of Orkney; Andro Lord Avandale, Chancellor; Colin Earl of Argyle, Master of the Household; William Knowis, preceptor of Torphichen, treasurer; John of Colquhoun of that Ilk, knights; Masters David of Guthre of that Ilk, Keeper of the Rolls; and Archibald of Quhitelaw, Archdeacon of Lothian, Secretary. (*M. and H.*)

Great Seal appended, complete. (Not in Reg. Mag. Sig.)

161. 4th March 1470/1. Decreet by way of Instrument given by David Kay, Doctor of Decreets, official principal of St. Andrews, Judge and Commissary of Patrick Bishop of St. Andrews, adjudging Sir David Haya,

Lord of Yestir to have the right of patronage of the Provostry of the Collegiate Church of Bothans, and Andrew Hay his son, clerk of the diocese of St. Andrews provost thereof on presentation by his said father ; At the Altar of S. Katherine the Virgin in the Cathedral Kirk of St. Andrews 4th March 1470. Witnesses, William Lord le Grahame, David Graham his brother german, Robert Drummonth, Sirs and Masters John Gardener, Andrew Wardlaw, William Lawson presbyters, Thomas Masoun clerk of the diocese of Brechin, Andrew Gades and Thomas Fodby laics, Duncan Yhalulok priest of diocese of S.A., and Andrew Maurice priest of diocese of Aberdeen, notaries. (*M. and H.*.)

The round seal and the seal of the official of St. Andrews, bearing a shield with a Saltire, are appended, the former rather defaced.

162. 18th March 1470/1. Collation by Patrick Bishop of S. Andrews, direct to Mr. Wm. Foular Dean of Haddington, of Andrew Hay, clerk of the diocese of Glasgow, to the Provostry of the College Kirk of Bothanis, vacant by the decease of Mr. Fergus Makdowell, last possessor thereof, on presentation by Sir David Hay, knt., lord of Zestir : At Edinburgh 18 March 1470. (*H.*)

Round seal of the Bishop and, in token of his having given institution, the seal of the Dean of Haddington (the same as that appended to Nos. 127 and 153) are appended in good condition.

163. 28th March 1471. Charter by Elizabeth Swift, daughter and heiress of umquhile Henry Swift, burgess of Edinburgh, and spouse of John Edmondstoun, to John Redepeth, burgess of Edr., and Mariorie Martin his spouse of her piece of land, built with stone walls, with waste and garden, lying in the said burgh of Edinburgh on the south side of the King's street within her own tenement between the stone gable of the south land of Wm. Lamb on the North side, land of Wm. Scheresmytht on S., lands of Pat. de Balbirny and Sir Rob. de Prestoun, vicar of Lintoun on W., and land of Wm. Lamb vulgarly called the Scof houss on E. : To be held by the said John and Marjory, and longer liver, and their heirs in feefirm and heritage : Paying 40s. yearly : Edinburgh 28 March 1471 : Witnesses, Henry Martyn, John Alansoun, Richard Rede, Henry Mclellan, Sir John Smale, chaplain, Thos. Unthank N.P., Alex. Caribris, Alex. Michelsoun, Jas. Achinlek, John Haliday, John Walch, and Wm. Nevy. (*H.*)

Seals of the granter, her husband, and Geo. de Penicuik bailie of Edinburgh appended, in fair condition.

164. 28th March 1471. Instrument of Sasine following on No. 163 by Geo. Penicuk, bailie of Edr. Done 2 p.m. 28 March 1471 : Same witnesses as in No. 163 except last four : Thos. Unthank, clerk S. And. dio., N.P. I. and R. a. (*H.*)

Seal of G. P. appended in fair condition.

165. 28th March 1471. Instrument of Sasine following on No. 163 by Geo. Pennycuk, bailie of Edinburgh, and also of the land of the said John Redepeth, lying in the said burgh on the W. side of the venelle called Leichwynd, between the land of Jas. Pahar on N., land of Alex. Thomsoun on S., close of umquhile Francis Prest on W., and close of said venelle on E., resigned by said J. R. in favour of himself and his wife Marjory Martin, at whose instance the instrument is made : Done 2 p.m., 28 March 1471 : Witnesses as in No. 163 : Alex. Michaelson, clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of G. P. appended.

166. 28th May 1471. Letter of tack, in vernacular, by Dungal Makdowale of Makarstoune, and portioner of the lands of Zestyr, Dwncanlaw, and Morame, To Sir Robert of Morame, prebendary of the College Kirk of Bothanis, his heirs, and assignees, (husbandmen and servants), Of his four husbandlands in the town and fulzhe of Zestyr, occupied by Sandris off Morame brodyr germane to the said schir Robert, Gilbert Dewgude, and Nychol Gylysoune, for the space of 19 years, entry at Whitsunday next : Paying 17 shillings and a penny yearly and the castell wardis to the King, compearance at the granter's courts at Yester, and general service ; and acknowledging payment by R. M. of 46 marks 8 sh. and 10 pence for the 8 years male of the two husbandlands occ. by G. D. and N. G. and for the gersum, fowlis, caryage, dawerkis, and of all other chargis awcht and wont pertenand to the forsaid four husband landis : Haddington, 28 May 1471 : Witnesses, Rob Ramesay of Curop ; Archd. off Hepburne, burgess of H. ; John off Hepburne, son to the sd. A., and Wm. Synclar brother german to Geo. Synclar of Blance. (*H.*)

167. 8th Aug. 1471. Charter by Thomas Newton brother german of John Newton of that Ilk, in favour of Thomas Moffet of Prestisbuttis, of an annual-rent of 4 merks, furth of his land lying in the town of Newtoun, once belonging to said Thos., in the west and on the north side thereof, lying in the Constabulary of Haddington and shire of Edinburgh ; Holding of the granter in fee and heritage for payment of a Red Rose yearly at the feast of St. John the Baptist, in name of blench ferme ; Under reversion for £40 to be paid on Altar of the Holy Cross of Lucano in the Kirk of the Preaching Friars of Haddington ; At Edinburgh 9th August 1471. Witnesses, John of Newtoun of that Ilk, Sir John Gillasbysoune, Thomas Uthank, notary public, Walter Henrisoune, and John Walch. (*M. and H.*)

Seal of granter defaced.

167A. 21st Janry. 1471/2. A Retour of George Cunninghame quhair he is retourit air to umquhill Sir William Cunninghame in the Landis of beltune and kilpallet of the daitt 21 of Januarij 1471. *No.* 19, 1619 *Belton Inventory.* (*H.*)

168. 5th Feb. 1471/2. Retour of Inquest held in the burgh of Dumfries, 5 Feb. 1471, before Sir Rob. de Crechtone of Sanchquhar knt. sheriff of the said burgh, by the following jurors, Rob. Lord Maxwell, David Heris of Anendaill knt., Vedast Grersone of Lag, Almer Charteris of Amysfeld, Simon de Glendunwyn son and heir of Simon de G. of that Ilk knt., Rob. McBrair provost of the said burgh, Geo. Neilsone of Madinpap, Edw. de Crechtoun of Knokkis, John Neilsone of Corsok, Rob. Valch of Schawis Jas. de Kirkhauch of Soudanvell, Alex. Rorisone of Barndawnach, Stephan de Kirkhauch of Gleneslene, Alex. de Crechtoune of Craffurtstoune, David de Crechtoune of Vynterhop, Gilbert Grersone of Kirkbride, and John Maxwell of Colnhath ; finding George de Cunynghame heir to his father Sir Wm. Cunynghame knt, who died about 6 weeks before, in the lands of the barony of Snayd, worth 40 marks per annum, held of the King in chief, and paying in name of blanche firme a pair of spurs or 6 sh. 8 pence at the Feast of S. John Baptist. (*H.*)

Three seals appended.

169. 15th Feb. 1471/2. Instrument of Sasine given by Rob. Fergussone of Brechinside following upon and narrating a Precept of Sasine from Chancery dated 11 Feb. a.r. 12, to Rob. Fergussone and Sir Rob. Crechtoune of Sanchar, knt., Sheriff depute of Dumfries following upon the Retour of Geo. Conyngame lord of Beltoun as heir to his father Sir Wm. C. in the barony of Snaid, and directing security to be taken of 13s. 4d. for duplication of the said lands : Done on the head messuage 11 a.m., 15 Feb. 1471 : Witnesses, Vedast Greyrsone of Lag, Gylbert G. his son and heir, Gavin de Dunbar, son and heir of Archd. de

D. of Little Spot, Wm. de Gordoune, Michael de Wemys, Geo. Vouse, John de Cotis, Donald Greyrsone, Gylbert Malygane, also Sirs And. Howysoune, and Thos. Symsoune chaplains : John McIlhauch, clerk Glasg. dio., N.P. I.a. (*H.*)

Seal of R. Fergusson appended, in fair condition.

170. 11th March 1471/2. Instrument of Sasine by Sir Jas. Ledail of Halkerstone, knt., Steward of the Earldom of March following on and narrating a precept of Sasine by Alexander Duke of Albany Earl of March etc., dated Dunbar 24 Janry. 1471, following on Retour in the Duke's "Chapel" of Geo. Cunningham as heir to his father Sir Wm. C. of Beltoune, knt. in the lands of Beltoune and Kilpallet, and directing security to be taken of 40 marks for relief : Done 3 p.m. on head messuage, 11 March 1471 : Witnesses, David Home of Spot, Wm. Hepburne, Alex. Hume, Nigel Cuningham, Michael Wemis, esquires, and Rob. Roule and John Lamb, burgesses of Dunbar : Mat. Baidenagh, clerk Aberdeen dio., N.P. I. and R.a. (*H.*)

Seal of Office of the Steward appended, slightly broken.

171. 19th Janry. 1472/3. Charter by George de Cunyngame, lord of Beltoun and the lands of the Snaide, to John Hay son and heir of Sir David Hay of Zestir knt. because of marriage contracted between said John and Elisabeth de C. the granter's daughter, of 18 marks worth of land in the Snaide, namely £3 land in the Lagane, £1 land in the Brakanesyde, £2 land in Achynpatrik, £2 land in Strach, and £4 land in Makulstoun and Balleqwharne, lying in the shire of Dumfries : To be held in fee and heritage of the granter and his heirs ; Paying yearly a silver penny at Pentecost if asked ; and Reserving liferent to the said George : Haddington, 19 Jan. 1472 : Witnesses, Sir John Cokburne, vicar of Abyrcorne, Wm. Hay of Mynzane, Rob. Grenlaw, burgess of Haddington, Philip Cunyngame, Andrew Geddes, and Alex. Clerk N.P. (*H.*)

Seal of G. C. appended, in fair condition.

172. 14th Feb. 1472. Testimonial of Sasine given personally by George of Cunyngame of Beltoun, following upon No. 171 : Dated 14th February 1472. Witnesses, Gawane of Dunbar, William the Hay of Mynzane, Robert the Hay, Philp of Cunyngame, Gilbert Greifsoun, Alexander Greifsoun, Michel of Wemys, John of Cotis, George Wolf, John of Wod. (*M. and H.*)

Seal of granter in fair condition.

173. 5th Janry. 1473/4. Indenture between John the Hay of Olivercastell son and apparent heir of Sir David the Hay of Yestir, Knight, on the one part and Sir William the Hay of Tallo, Knight, on the other part, whereby the said Sir William agrees to deliver to the said John the house and castle of Morham, with three acres of land pertaining thereto, "unspulzit or parbrekyt of duris wyndowis zetis of irn or of three burdis trestis jestis loftis lokis keyis barris bandis or ony uthir reparatioun byggyng or necessary thingis wythin the said hous or barmkyn or uthir erde hows quhatsumeuer" at Whitsunday "cum four zeris next eftir followande the date of thir indentouris" ; also that the said John shall infeft the said William in seven and a half merks of annual-rent furth of his lands of Wester Hopprew lying in the barony of Hopprew and shire of Peebles, to be held of the said John in blench ferm for a penny if asked, under reversion that whenever the said Sir William is infeft in the quarter of the lands of Lynplum, holding of the said Sir David, in ward relief and marriage with suits of court, and the said John shall discharge the said Sir William of the 20 shillings of annual-rent of the said Sir William's lands of Wyndane the said Sir William binds himself to resign the said annual-rent of 7½ merks, and the said Sir William binds himself not to take a penny of the said annual-rent till the deliverance of the said house and place of Morham :

Also the said Sir William shall infeft the said John in 10 pounds worth of his lands of Cragkyngildwris, lying in the barony of Olivercastle and shire of Peebles to be held of the over lord in blench ferm for a penny if asked at the ground in which now dwell John Henrisoun, William Henrisoun, Paule Henrisoun and Thomas Henrisoun and has in mailing of the said Sir William, under Reversion that whenever the said Sir William delivers the said house and place of Morhame and lands foresaid to the said John then the said John shall resign the said 10 pounds worth of land, and the said John shall not take penny, pennyworth or profit of the said land till the Expiry of said 4 years ; And the said John shall make to the said Sir William a Letter of Tak of the said quarter of lands of Lynplum for the said term of 4 years, for the mail of 6 merks or a chalder of meall ; And the said Sir William is bound not to claim the said house and castle of Morham with the said 3 acres, nor the third part of Morham called Lyndissais land, nor the 2 husband lands of Duncanlaw called Lathis lands and Pwnton's land nor the 12 merks of annual-rent which he claimed of the said Sir David's land " nor the pastour of the sowmes of Wyndan under the pain of 1000 pounds to the King, and 1000 pounds to the Archbishop's Kirkwerk of St. Andrews, and 1000 pounds to said John for his costs, to be paid in the Freir Kirk of Haddington on the high altar of the same, within 40 days after such claim be raised : And the said John binds himself when he is Lord of Yestir to infeft the said Sir William in the said quarter of Lynplum, and to discharge the said 20 shillings annual-rent of Wyndan, and give up the annual-rent of Hopprew. At Edinburgh 5th January 1473. Witnesses, Master Andro the Hay provost of the Bothanis, Wilzam the Hay of Mynzan, Thomas the Hay, Richarde Besat, Andro Geddes, John of Bykerton, James of Colylaw and Robert Marciale notary public. (*M.*)

Seal of said Sir William Hay of Tallo in poor condition.

174. 7th Janry. 1473/4. Reversion, in vernacular, by William the Hay of Tallo knycht to John the Hay of Olivercastell, son and heir of Sir David the Hay of Zestir knt., of an annual rent of 7 marks 6 sh. and 8 pence from John Hay's lands of Westir Hopprew, for infeftment to a quarter of Linplum, to be held of said Sir David in warde Releyf and mariage and thre soytis of courtis yerly, and quittance of an annualrent of 20 sh. from Sir William's lands of Wyndane : Edinburgh, 7 Janry. 1473 : Witnesses, Mr. Androw Hay provost of the Bothanis, William the Hay of Mynzen, Thos. the Hay, Richard Besat, And. Geddes, John of Bikertoun, Jas. Colylaw, and Robert Marciale N.P. (*H.*)

Seal appended, in fair condition.

175. 15th May 1474. Paper Letter testimonial, in vernacular, by Robert Lord Fleming certifying, as required by the King's letters because he could not be present at the service of Jas. Hunter to the lands of Polmude, that Walter Hunter of Polmude up to the time of his decease held his lands of P. of the Baron of Olivercastle, ward and relief, and that the said lands had been in the hands of Fleming's gransser and fader from the decease of the father till the entry of the said Walter : Edinburgh, 15 May 1474. (*H.*)

Seal impressed on paper badly broken ; but enough remains to shew that the supporters were two ladies in kirtles and steeple headdresses, and that the 2nd quarter of the shield bore 5 cinquefoils for Fraser.

Backed—Ane testificatioun that Polmude was haldin of my lord Zestir.

176. 16th July 1474. Charter by David Hay, Lord of Yestir, Knight, in favour of Alexander Lempetlaw, of that piece of land lying in the town and territory of Bothanis, which belonged to a man called Cosour, in the barony of Yestir, sheriffdom of Edinburgh and Constabulary of Haddington, on the west of the marches of the lands of Gamilstoun, on the one part, and on the north the common way on the other part, and on the south part a croft of the rector of Morham, which pertained to the Collegiate Church of Bothanis, commonly

called "le Staw" of the said rector; being 19 ells in length and 7 ells in breadth, with a rig of land lying within the lands of Gamyltoun, next the croft of the said rector. Holding in feuferm and heritage and paying therefore 6 shillings scots. At Bothanis 16th July 1474. Witnesses, Master Andrew Hay, provost of the Collegiate church of Bothanis, William Hay, Robert Hay, sons of the granter, Sir Nicolas Hay, Dungall Hay, George Penwen presbyters, John Bekirtoun, Robert Alexander and David Menzeis. (*M.*)

For greater security of this grant John Hay, son and heir apparent of the granter, appends his seal along with that of his father; the impressions of both are in good condition.

177. 21st Feb. 1474/5. Instrument narrating that Alex. Creichtoun, baillie of Edinburgh, at the request of John Redpeith, burgess of Edr., went to the land of said John lying on S. of the King's street within the tenement of Wm. Henry Swift between the land of Wm. Lamb on N. and land of Wm. Scheresmyth on S., the said tenement lying between tenement of um. Rob. Lamb on E. and tenement of Pat. Balbuiny on W.; and there the said J. R. made protest against a protest by Sir Walter Swift, chaplain, asserted tutor of John Edmonstoun, son and heir of um. Eliz. Swift, as contained in a schedule as follows; Lo ser bailze notar and witnesis her present that I her a nosyng and voice that ser Walter Swift chapellane a soun umquhill of Johnne Swift and bruthir til umquhill Henry Swift is cumyng her to this land of umquhill his bruthir douchtir and quhat at he hes doun her in maner of Interrupcioun as I am informit and seisyng brekyn (I wat?) nocht quhais land or be quhat Rycht I knawe nocht and gef that his Interrupcioun and seisyng brekyn mycht or ma turne me or (myn) ayris til ony preiudice in tyme to cum as it ma nocht do I protest it turne me na myn ayris to na preiudice in tyme to cum ony —— —— oun or ma do in tym to cum turne me na myn ayris in to na preiuduce as said is in tym to cum consideryng that I am in (peceabill) possessioun of my land be the commoun law of Scotland passit prescriptioun de terra fideliter empta tenta in pace per d—— a—— And of this notar I aske zow ane Instrument and this bill to be put in it word be word as is her wryttyn and I besek yhow ser bailze that ze walde wychesaffe to yhour seille to the Instrument in mar evident witness of my protestatioun makyn: Done in the close of the said tenement, 11 a.m., 21 Feb. 1474: Witnesses, Jas. Empffelde, John Gray, John Folcart, And. Makgy, Jas. Zong, and Jas. Harcass, serjeant: Alex. Michaelson, N.P. (*H.*)

Baillie's seal is gone, tag left.

178. 6th July 1475. Transumpt by way of instrument of No. 61 made before John Aytoun, senior, and John Hepburn, baillies of Haddington, sitting in judgement in the Tolbooth thereof, at the instance of Wm. Hay of Meynzene, esquire, 11 a.m., 6 July 1475: Witnesses, Wm. Haliburtoun, Rob. Haliburtoun, Rob. Grynlaw, John Wouf, John Aytoun junior, and John Mandyrstoun, burgesses of said burgh, and Sirs Wm. Haliburtoun and John Farbarne, chaplains: John de Haliburtoun, priest S. And. dio., N.P., I.a. (*H.*)

Seals of the baillies appended, in fair condition.

179. 16th Aug. 1476. Dispensation Bull by Pope Sixtus IV. to Andrew Hay, Provost of the Collegiate Church of Bothanis in the diocese of St. Andrews, to hold with it another incompatible benefice with all the fruits and emoluments thereof. Dated 17th Kalends of September (16th August) 1476. (*M. and H.*)

180. 21st April 1477. Precept under the testimonial of the Great Seal to the Sheriff and bailies of Peebles to compear on Thursday 3 July before the Court of Exchequer to be held at Edinburgh, Wednesday 25th June next, to

render their accounts of all fermes, rents, &c., since the time of the last account rendered of their office. At Edinburgh 21st April, 17th year of Reign of King James III. (No. seal.) 1477. (*M. and H.*)

181. 10th Janry. 1477/8. Instrument by Peter Bogart Dean of St. Donatus of Bruges in the diocese of Tournay having Commission from Pope Sixtus IVth as Judge and Commissary, specially deputed by the said Pope to the provosts, deans, curates, &c., constituted by the city and diocese of St. Andrews ; in obedience to letters of absolution, in the form of breves by the said Pope, from excommunication and other church censures in favour of Sir Andrew Hay principal provost of Bothanis in the diocese of St. Andrews, to which he had been subjected for non payment of six ducats due to Ceccholi of Picchis citizens and merchants of the City of Rome. The Breve bears to be obtained on the Mandate of Thomas Bartholi, merchant of Florence. Dated at Rome at St. Peters under the fisher's ring 10th January 1477. Instrument dated 1478, James Vand Borcht notary. (*M.*)

Seal gone.

182. 31st March 1478. Precept of Sasine by Matthew Huntar, burgess of Peebles direct to Stephen Derlyng, Pat. Dicisoun, and Gilbert Williamsoun, burgesses of Peebles, for his son and heir Gilbert Huntar of all his lands called "a merkis worthtt" of the Farnehauch, the Bordalhauch, and Le Flerris, in the barony of Glene, and shire of Peebles, to be held in feefirme of Rob. Conyng and Isabella his spouse of Glen (*sic*) : Caldestreme 31 March 1478. (*H.*)

Seal of H. appended, in fair condition.

183. 3rd April 1478. Precept of Sasine by Sir David de Hay of Zestir, knt. direct to Archd. Lyil, his baillie in Morhame, for his son and heir John Hay of a cotland in the barony of Morhame, constabulary of Haddington and shire of Edinburgh : Zestir, 3 April 1478. (*H.*)

Seal of Sir D. H., in bad condition, and fragment of Lyil's seal appended.

184. 18th May 1478. Instrument of Sasine by Gilbert Wilzamsoun following on No. 182 : Done in said lands 1 p.m. 18 May 1478 : Witnesses, Geo. Davisoun, Jas. Zoung, and Jas. Davisoun : Andrew Zoung, priest Glasg. dio., N.P. I. and R.a. (*H.*)

185. 2nd Sept. 1478. Commission under the Testimonal of the Great Seal ordaining William Lord Borthwik, sheriff of Peblis *in hac parte*, to execute the breves of inquest of our chapel impetrat by John Hay by the death of the late David Hay of Yestir, Knight, upon the lands annual-rents and offices of the said late David to the said John in the said Sheriffdom of Peblis. Dated at Edinburgh 2nd September the 19 year of the reign of King James III. 1478. (*M.*)

186. 6th Oct. 1478. Retour of Inquest held in Tolbooth of Edinburgh, 6 Oct. 1478, before John Hadene of Glenegass by the following jurors, Archd. Dundas of that Ilk knt., John Newtoune of that Ilk, Alex. Hammiltoune of Bathkate, John Stewart of Cragyhall, Geo. Cunyngham of Beltoune, Archd. Douglas, Alex. Stratoune of Lowranstoune, John Crechtoune of Burnestoune, John Lowranstoune of that Ilk, Alexr. Damephoy (*sic*) of that Ilk, John Ramsay of Cullathy, Alex. Stetoun (*sic*) of Parbroith, and Richard Congiltoun of that Ilk, finding John Hay heir of his father Sir David Hay of Zestir knt. in the barony of Lochorwart, the half of the baronies of Zestir and Duncanlaw,

the two parts of the barony of Morhame, half of the lands of Moskowe, lands of Ugstoun, and a quarter of the lands of Blanis all lying in the shire of Edinburgh; that Lochorworth is worth £20 per an., Zestir £20 : 10s., Duncanlaw 14 marks and 40d., Morhame 20 marks, Moskowe 20s., Ugstoun 10 marks, and Blanis 10s. ; and that the baronies of Lochorwart, Duncanlaw, and Morhame are held in chief of the King by Ward and Relief and common suits, Ugstoun in blanchefirme of the King for three broad arrows to be given him when hunting on Glademure, Blanis for a similar Reddendo of two broad arrows, in whose hands they have been since the death of Sir David about two months before, and Moskowe of the baron of Bolton for service as in No. 99. (*H.*)

Parchment torn and seals all gone.

187. 14th Oct. 1478. Retour of Inquest made at Lanark before Pat. de Cleland, sheriff depute of James Lord Hamilton sheriff of Lanark, 14 Oct. 1478 by the following jurors, John de Carmichel of that Ilk, John Grahame of Vesthale, Walter Scot of Vester Nynflar, John Bourhil of that Ilk, Adam Wer, Thos. Haste, Wm. Synkcler, Henry Grahame, Rob. Wer, Roger Brown, John Pomfret, Wm. Dekesoun, Martin Bayrd, Thos. Wer, Wm. Dekesoun and Pat. Gyrmar, finding John Hay heir of his father David Hay of Zester knt., who died about 2 months before, in the 6th part of Thankartoun and the mill thereof, worth £6 per an., held of the King for payment of one penny at the Feast of S. John Baptist in name of blanch firme ; the 6th part of Nethertoun of Strathaven and one eighth of the mill, worth £3 : 10. sh. per an. ; and an annual rent of 5sh. from Glengevil in the barony of Strathaven, held of the King by ward and relief. (*H.*)

Seals of Walter Scot and John Grahame still appended, in bad condition.

188. 15th Oct. 1478. Retour of Inquest held at Peebles, 15 Oct. 1478, before Wm. Lord Borthwyk, Sheriff of Peebles specially depute, by the following jurors, Sir Wm. Borthwyk son and heir of the said Lord B., Walter Twedy of Drummelzor, Thos. Lowis of Menner, Wm. Broune of Hartre, John Govane of Cardono, Thos. Dykysoune of Ormystoune, Jas. Twedy, Alex. Horsbruke of that Ilk, Chas. Geddes, Gav. Barde of Posso, John Dykysoune of Smythtfeld, Mat. Glendunwyn of Glenroth, Wm. Geddes, Symon Fresell, Wm. Dykysoune, and Thos. Bychate of Chapelhill, finding John Hay heir to his father Sir David Hay of Zestyr knt., who died about 2 months before, in the barony of Olivercastell, worth £50 per an., the barony of Lyne and Hoprew, worth £38 per an., the lands of Jedwartfeld worth £5 per an., and the office of Sheriff of Peebles, worth £10 per an., the said baronies being held in chief of the King by Ward, relief, and common suits, and the lands of Jedwartfeld with the office of Sheriff of the King in chief by blanche firme, paying one silver penny at the Feast of S. Andrew the Apostle. (*H.*)

The seal of Sir W. B. and four others still appended.

189. 15th Oct. 1478. Retour of Inquest at Alanetoune in the Regality of Athcarmure, 15 Oct. 1478, before Alex. Lindissay of Dunrode, baillie of the Abbot of Arbroath specially depute, by the following jurors, Sir John Maxuel of Calderwod, John Bowrhyll of that Ilk, John Stewynstoun of that Ilk, Gawan Maxuel, Thos. Inglis of Murzowstoune, Alex. Balze of Carfin, Harbert Nesbit of Dalzeill, Wm. Knellande of that Ilk, John Balze, Jas. Inglis, Rob. Hart of Cryngildykis, David Maxuell, Alex. Lindissay, Thos. Quhytlaw, Alex. Malvill, David Hennyrsoun, Wm. Russell, John Nesbit of Rawynscrag, and Patrick Clelande, finding John Hay heir to his father um. Sir David Hay of Zestir knt. in the lands of Athkermure held in chief of the Abbot of Arbroath, in whose hands they had been for 2 months since the death of Sir D. (*H.*)

Four seals still appended, none in good condition.

190. 17th Oct. 1478. Instrument of sasine by John Crosar, baillie specially appointed by John Aldane, sheriff, following on and narrating a Precept of Sasine from Chancery, dated Edinburgh 9 Oct. a.r. 19 (1478) addressed to the sheriff of Edr. and his baillies following on Retour of John Hay as heir of his father Sir David Hay of Zester in the barony of Lochorwart, relief £20 ; half barony of Zester, relief £20: 10s.; half barony of Duncanlaw, relief 14 marks 40d.; two parts of barony of Morhame, relief 20 marks ; lands of Ugystoun and a quarter of Blance, duplication of blanch firme 10 broad arrows ; of all the above subjects except Lochorwart: Done 9, 10, and 11 a.m. 17 Oct. 1478 : Witnesses, Geo. Ker of Samelstoun, Wm. Ker, Mr. Andrew Hay provost of the College Kirk of Bothanys, Wm. Hay brother german of the said John Hay, Wm. Hay of Mynzham, Wm. Makdowale, David Dalrymple, Archd. Lile, Alex. Morhame, Archd. Flemyng, Andrew Cunyghame, Wm. Dalrymple, and Nycholas Rychartsoun : Rob. Aytoun, priest S. And. dio., N.P. I. and R.a. (*H.*)

Seal of John Crosar appended in fair condition.

191. 3rd Nov. 1478. Charter by Alexander, Duke of Albany, Earl of March, Lord of Annandale and Man, Great Admiral of Scotland, and Guardian of the East and West Marches, to George de Cunyghame of Beltoune of the lands of Beltoune in the barony of Dunbar, resigned by the said George at the granter's castle of Louchmaben, in favour of himself and the heirs male of his body, whom failing Elizabeth Cunyghame daughter of said Geo., whom failing John Hay second-born son of John Hay of Olyvercastell, born of the sd. John and the sd. Elizabeth C. his spouse, and the heirs male of his body, whom failing William Hay his brother german and the heirs etc., whom failing the next son born or to be born of the sd. J. H. of Olyvercastell and his wife Elizabeth and the heirs etc. ; under the condition that the son of John Hay succeeding to Beltone is to change his name before Parliament and take the name and arms of Cunyghame ; and, if he shall fail to do this, then the lands of B. are to go to the nearest heir male of the sd. Geo. C. bearing the name and arms of Cunyghame : Dated at the granter's Castle of Dunbar, 3 Nov. 1478 : Witnesses, Alex. Home of that Ilk, and James Lyddale of Halkarstone, knights, Mr. Martin Wan, Chancellor of Glasgow, Malcolm Drummont, rector of Dunbar, David Home of Spot, David Rantone of Bylly, Adam Edgar of Weddle, John Ellame of Butterdene, Jas. Ogle of Pople, Adam de Moray, John Lyddale, Geo. Roule, John Roule, and Wm. Browne. (*H.*)

Seal of the Duke appended, in good condition.

191A. 4th Nov. 1478. A saising of Jhon lo : hay of Zester in the landis of Loquharret as aire to his father Sr. David geven be peter marche notaire 4 novemb. 1478. *No.* 8, 1622 *Locharret Inventory.* (*H.*)

192. 4th Nov. 1478. Precept of Sasine by George, Abbot of Arbroath, following on Retour (No. 189) direct to John Lindesay of Dunrode and John Hammyltoun : Dated at Arbroath 4 Nov. 1478 under his seal of office. (*H.*)

Seal gone, leaving vesica-shaped mark on paper.

193. 5th Nov. 1478. Precept of Sasine by Alexander, Duke of Albany, following on No. 191 to Sir Archd. Hamilton of Innerwik knt., David Rantoune of Billy, and Simon Salmon, his Stewards of March : Castle of Dunbar, 5 Nov. 1478. (*H.*)

Fragments of his seal in an old twisted piece of paper tied to the tag.

194. 7th Nov. 1478. Testimonial of Sasine by Sir Archd. Hamilton of Innervic knt., Steward of the earldom of March, following on No. 193 : Done at the head messuage of Belton 7 Nov. 1478 : Witnesses, Pat. Ruthirfurd, Jas.

Sinclar, John Cottis, Geo. Wolf, Columba de Dunbar, esquires, Sir Wm. Cunynghame, Sir John Gibsone and Sir Wm. Gibsone, chaplains. (*H.*)

Seal of Sir A. H. appended, in fair condition.

195. 7th Nov. 1478. A duplicate of the foregoing. A fragment of seal of Sir Arcd. Hamilton is appended. (*H.*)

196. 15th Nov. 1478 Testimonial of Sasine by John Hammyltoune following on No. 192 : Done at Athcarmure, 15 Nov. 1478 : Witnesses, Wm. Hay of Menzane and Symon Geddass. (*H.*)

Seal of Charles Geddass of Rauchane appended, in fair condition, in absence of J. H.'s own seal.

197. 16th Feb. 1480/1. Retour of John Synclar as lawful and nearest heir of the late William Sinclar his father, who died 4 months before, in the lands of Hirdmanstoun, lying in the Constabulary of Hadington and shire of Edinburgh, and the lands of Carfra in the shire of Berwic ; Inquest held at Edinburgh 16th February 1480 ; before John Stewart of Cragyhall and David Crechtoun of Cranstoun, sheriffs of Edinburgh and Berwik specially constitute, by the following persons of Inquest, Patrick Knollis of that Ilk, William Douglas of Quhitingham, Knight, Peter of Nesbitt, Patrick Sleich of Cumlech, Adam Nesbet of that Ilk, James Spens of Hardanis, Laurence Hatlee, Gilbert Lawder, Robert Franch of Thornydykis, Thomas of Borthwik, George of Nesbet, John Bowmakare, Patrick Diksoun, Robert Sleich, Alexander Cokburn of Newhall, Thomas Fawsyde of that Ilk, James Heriot, Alexander Lawder and Archibald of Manderstoun. (Recorded Edinburgh 15th March 1656 in the Books of Exchequer.) (*M. and H.*)

The seals of John Bowmaker, and other two of the Inquest remain, and tags showing that other eight seals were appended.

198. 4th March 1481/2. Instrument taken by John Hay of Yestir that he passed to the Castle of Creichtone, and there in presence of Dame Marion Lady of Creychtone, warned William her spouse, or keeper of the said place, to have compeared in the parish Church of Creychtone, on the 10th of April next, with letters and Evidents that um. Sir David Hay, Knight, father of the foresaid John Hay had made wadset or Assignation of the lands of Loucquorwart to the late William Lord Crechtone ; and to receive the sum of 78 merks of the residue of the greater sum, as contained in reversion thereof. Dated 4th March 1481, at the upper gate of the town of Crechtoune, 9 a.m. : Witnesses, Master Andrew Hay, Provost of the Collegiate Church of Bothanis, William Hay, brother german of the foresaid John Hay, John Dekys, Andrew Lowis, Sir Thomas Laws, Sir William James, Chaplains : John Hay, chaplain of the diocese of Glasgow, is notary. (*M. and H.*)

199. 3rd April 1482. Charter by Gilbert Huntar, burgess of Edinburgh, to Martin Balcasky, burgess in Peebles, of his markland in the Farnehaicht, the Fluris, and the Bordalhalche, in the barony of Glene and shire of Peebles : To be held in fee and heritage of the granter, Paying 12 pence yearly to the superior, the baron of Glene, and a red rose at the Feast of the Nativity of S. John Baptist to the granter and his heirs in name of blanchefirme if asked : Edinburgh, 3 April 1482 : Witnesses, Walter Blakloke, John Craike, John Androsoune, John Penderlaicht, John Gibsoune, and Jas. Stanely. (*H.*)

200. 6th April 1482. Instrument of Sasine by John Craik, burgess of Peebles, following on and narrating a Precept of Sasine, dated Edinburgh, 5 April 1482, direct to John Dikisoune, Wm. Dikysoune, and John Craik, following on Charter No. 199 : Done at Fluris, 9 a.m., 6 April 1482 : Witnesses,

Herbert Twedy, John Madur, Thos. Caverhill of the Foulege, Rob. Foster, and Thos. Folkart : John Hay, priest, Glasg. dio., N.P. I. and R.a. (*H.*)

201. 4th May 1482. Charter by George Cunnynghame of Beltoun to John Hay, second born son of John Hay of Zeister, begot between him and his spouse Elizabeth C. the granter's daughter, of all the lands of his barony of Snade in the shire of Dumfries : To be held of the King in fee rendering therefor service used and wont, reserving the liferent to the said George and a reasonable terce to his wife Elizabeth : Beltoun, 4 May 1482 : Witnesses, John Hay of Zeister, Mr. Andrew Hay, provost of Bothanis, Sir Wm. Cunnynghame the granter's brother, Archd. Dunbar, Colin Dunbar, Jas. Sinclare, and Wm. Dalrumpill, Sirs John Gybsoun and Rob. Aytoune, chaplains. (*H.*)

Seal of G. C. appended, in good condition.

202. 7th May 1482. Charter by Thomas Moffat of Prestisbuttis in favour of Sir Nicholas Hay, prebendary of the Collegiate Church of Bothanis, of an annual-rent of four merks out of the lands of the late Thomas Newtoun, with pertinents, lying in the town of Newtoun, in the west end and on the north part thereof, within the Constabulary of Haddington and shire of Edinburgh, for a certain sum of money paid to me in my urgent necessity by the said Sir Nicholas : Holding to the said Sir Nicholas and his heirs and assignees of the heirs of the late Thomas Newtoun in fee and heritage until the heirs of the said Thomas Newtoun shall pay to the said Sir Nicholas his heirs and assignees the sum of forty pounds scots, one day between the rising and the setting of the sun in the church of the Friars Preachers of Hadyntoun upon the altar of the Holyrood of Lucanus : Paying yearly to the heirs of the said Thomas Newtoun one red rose at the feast of the nativity of St. John the Baptist in name of blench ferme if asked ; At the College of Bothanis 7th May 1482. Witnesses, Master Andrew Hay, Provost of the said College, Sirs Richard Knollis, James Lempatlaw, George Pennen, chaplains, and George Lermunt notary public. (*M.*)

Seal of granter in bad condition.

203. 12th May 1482. Precept by Geo. Cunnynghame of Beltoune and lord of Snade to Philip Cunnynghame, Adam Gordoune, and John Cottis following on No. 201 : Beltoune, 12 May 1482. (*H.*)

Fragment of seal appended.

204. 21st May 1482. Obligation, in vernacular, by George of Cunnyngame of Beltoune in favour of John the Hay, second son of John the Hay of Zeister, narrating that whereas G. C. had given the sd. J. H. a charter of his lands of the barony of Snaid in the Sereffdome of Nydysdail as he was bound to do in terms of the marriage contract between J. H., of Zeister and Elizabeth C. his daughter, he now obliges himself and his heirs of tailzie to pay the sum of 1200 marks to J. H. should the said lands not pass to him, and further, in case of failure, to pay a penalty to the King of 1000 marks, to the metropolitaine kyrkwerk of Sanctandrois, 600 mks., and to John Hay and his heirs 400 marks of costs ; All to be paid from his lands of West Barns near Crail, the qwhylkis are talzet : Beltoune, 21 May 1482 : Witnesses, John the Hay of Zeister, Mr. Andro the Hay, provost of the Bothanis, Jas. Sinclare, Wm. of Dalrumpill, Sir Wm. of Cunnyngame, and Sir Robert Aytoun, N.P. (*H.*)

Seal of G. C. appended, in good condition.

204A. 5th June 1482. Ane infeftment and foundatioun maid be George cunninghame of beltoun of a chepplaine in the Kirk of Carrell of the daitt the 5 of Junii 1482, and a dottation thairto out the Landis of westbarnis. *No.* 26, 1619 *Belton Inventory.* (*H.*)

205. 5th June 1482. Assignation, in vernacular, by George Cunynghame of Beltone to John the Haye secwnd sonne and get of John the Haye of Zestyr, and failing him William his brother, whom failing George their brother german of the sum of 1000 marks due by the said John the Haye of Zestyr in terms of his obligations (see No. 142) to be paid by him if he does not, after George's death, with full consent of Elizabeth the granter's daughter, cause the said John etc. to brouk the lands of Belton and change the surname and arms of Hay to those of Cunynghame : Belton, 5 June 1482. (*H.*)

Seal appended, in fair condition.

206. 7th June 1482. Letter of presentation by George Cunynghame of Beltoune to William Archbishop of S. Andrews in favour of his brother Sir Wm. Cunynghame, priest, for collation to the Chaplainry of the Altar of S. Mary in the Parish Kirk of Crail, founded by the said G. C. : Belton 7 June 1482. (*H.*)

Seal appended, slightly broken.

207. 17th June 1482. Confirmation under the Great Seal by James III. of No. 201 : Edinburgh, 17 June 1482 : Witnesses, Wm. Archbishop of S. Andrews, John Bishop of Glasgow, Jas. Bishop of Dunkeld, Andrew Lord Avandale the Chancellor, Colin Earl of Ergile, Lord Campbell and Lorne, Master of the Household, David Earl of Craufurde, and Lord Lindesay, John Lord Carlile, Masters Archd. Quhitelaw Archdeacon of Lothian the Secretary, and Alex. Inglis Archdeacon of S. Andrews clerk of Rolls and Register. (*H.*)

Great Seal appended, about three-quarters whole and much defaced. (*Cf.* Reg. Mag. Sig. II. 1514.)

208. 3rd Sept. 1482. Precept from the King accepting John Hay, Thomas Lowis, Alexander Spens, Alexander Cunynghame, Thomas Hay, Adam Gordon, William Hay, Robert Scot, Andrew Lowis, James Scot and Master Andrew Hay or any of them, as attorney or attornies of Elizabeth Cunynghame spouse of John Hay of Yester, to appear in all negotiations, speeches, suits and quarrels moved or to be moved by the said Elizabeth. At Stirling 3rd September 23rd year of the Reign of King James III. 1482. (*M. and H.*)

209. 9th Nov. 1482. Testimonial of Sasine, in vernacular, by Alex. Dunlop baillie of Cunnynghame to Wm. Vilsoune attornay for Eliz. Cunnynghame following on and narrating a Precept of Sasine from Chancery dated Edinburgh, 5 Nov. a.r. 23 following on retour of Eliz. Cunnynghame as heir to her father George Cunnynghame of Beltoune in the lands of Akhed, Ayrshire, and addressed to the Sheriff of Ayr and his baillies, security to be taken for two pairs of white gloves for the duplication of blanchefirme : Done on the chemes of Akhede, 9 Nov. 1482 : Witnesses, Wm. Benyng, John Gothrasoune, John Hall, Andrew Dunlop, and Master Patrick Cunnyngham. (*H.*)

Dunlop's seal appended, illegible.

210. 21st Janry. 1482/3. Grant under the Great Seal by James III. to Sir Baldred Blakadir of the Ward of the lands of Westbarnys, Fifeshire, and lands of Snayde, Dumfriesshire, in king's hands through the death of Geo. Cunynghame of Beltoune ; also the marriage of John de Cunynghame, son and heir of um. Nigel C. brother of the said George, and heir of tailzie of his uncle the said George in the foresaid lands, and, John deceasing unmarried, that of Michael de Cunynghame his brother german : Edinburgh, 21 Janry. 1482. (*H.*)

Great Seal appended, entire but defaced, by a strip slit lengthwise from the parchment. (Not in Reg. Mag. Sig.)

211. 22nd March 1482/3. Instrument on the Relaxation of the lands of Braidzardis, in the town and territory of Dunkenlaw, by Rob. Dewar, indweller in Dunkenlaw, from the superior of the barony of D., John Hay of Zester, in whose hands they were by recognition ; and their Resignation to J. H. of Z. by Dewar, reserving liferent and terce to his wife : Done in the Chapel of the Castle of Zester, 9 a.m., 22 March 1482 : Witnesses, Thos. Lowis of Mennar ; Mr. Andrew Hay, provost of Bothanis ; Wm. Hay ; Richard Besat ; Jas. Sinclair ; Thos. Cunyngnam ; And Lowis : Sir Wm. Tothryk, chaplain ; Wm. Dalrimpill ; Dav. Murray, and Jas. Masoune : John Hay, priest Glasg. dio., N.P. I. and R.a. (*H.*)

212. 10th Oct. 1483. Retour of Inquest in the Tolbooth of Edinburgh, 10 Oct. 1483, before Gilbert Johnestoune of Elphinstoune knight, Sheriff of Edinburgh in the Constabulary of Haddington, and Jas. Douglas of Raufburne, sheriff depute, by the following jurors, John Swyntoune of that Ilk, and Edward Congiltoune, knights, Thos. Wawane of Steinstoune, John Quhitlaw of that Ilk, Wm. Hoge of Wigoronshalch, Simon Quhitlaw, Richard Quhitlaw, Henry Hepburne of Fortoune, John Swyntoune, Wm. Hepburne of Elstanefurd, Dougall Makdowal of Makcarstoune, Thos. Crage of Est Crage, Pat. Cokburne, Thos. Borthwic, and John Redpeth, finding Elizabeth Cunnunghame heir to her father George C. of Belton, who died about 14 months before, in the lands of Beltoun and Kilpallet in the earldom of March and constabulary of Haddington, worth 40 marks per an., and held of the Earl of March by ward relief and common suits of courts. (*H.*)

Three seals still appended.

213. 20th May 1485. Instrument of Sasine by John Hepburn, Sheriff of Edinburgh in the Constabulary of Haddington specially depute, to Thos. Neisch, burgess of Edinburgh, attornay for Walter Bertrame, burgess of Edr., following on and narrating a Precept of Sasine from Chancery, dated Edr., 16 May a.r. 25, to the Sheriff of Edinburgh and his baillies within the constab. of H. following on Retour of Walter Bertrame as heir to his father George B. in two acres of arrable land near the burgh of Haddington on the North side thereof, between the land of John Aytoun and the land of Harperfeld, directing security to be taken for two silver pennies for the duplication of the blanchefirme : Done 11 a.m., 20 May 1485 : Witnesses, John Aytoun, John Hugowne, Arthur Saware, and John Thomsoun, burgesses (of H.), and John Crosar royal serjeant : Robert Aytoun, notary. (*H.*)

Seal of J. Hepburn appended, in bad condition.

214. 24th Oct. 1485. Instrument of Sasine proceeding on a Precept from Alexander (Archibald?) Hamiltone of Innerwyk, Knight, as tutor dative constitute by the King to John Newtoune, directed to David Hamilton, John Hathwe and John of Dunlop his bailies, for infefting Sir Nicholas Hay prebendary of the Collegiate Church of Bothans in an annual-rent of four merks, to be taken furth of the lands of the late Thomas Newtone, with pertinents lying in the west end of the town of Newtone on the north part thereof, within the Constabulary of Hadyntone and Sheriffdom of Edinburgh, on resignation by Master Andrew Hay, Provost of the Collegiate Church of Bothanis, as procurator for Thomas Moffat of Prestisbuttis, in the hands of said Archibald Hamilton as superior, at the Castle of Innerwik : Precept dated at Innerwik 21st October 1485 : Instrument dated 24th October 1485 : Witnesses, Thomas Newtone, John Quhyppo, Henry Tod, Sirs James Lempatlaw, John Trottar, Nicholas de Dunbar chaplains : John Hay presbyter of the diocese of Glasgow is notary. (*M.*)

215. 1st May 1486. Instrument of Resignation by Walter Bertrame of an annual-rent of twenty shillings furth of his tenement of land with the pertinents

lying in the burgh of Hadyngtone, on the west part of the Hardgate, between the land of the late Robert Myll on the north, and the land of Thomas Brown on the south, to John Hepburn baillie of H. in favour of himself and Elizabeth his spouse heritably and in conjunct infeftment; and reserving the front gate of the fore part of the said tenement with free ish and entry to the inner part of the said tenement. Dated 1st May 1486. Witnesses, Master William Patonson vicar of Boltoun, Sirs William Halyburton and Thomas Hyltsoun chaplains, Patrick Lauson, Thomas Lytster, Thomas Neysche, Patrick Hoy, William Johnson, John Johnsoun, John Jedworth, John Thomsoun, Walter Thomeson burgesses, John Huggon, Arthur Sawar, and James Duncane, serjeants of the said burgh. Robert Aytoun presbyter of the diocese of St. Andrews, is notary. (*M. and H.*)

216. 17th July 1486. Instrument of Sasine by John Hepburn, baillie of Haddington, to Pat. Lausone, burgess of H., attornay of Walter Bertrame of Edr. following on and narrating a Precept of Sasine (following on Retour of Walter Bertrame to his father as before, see No. 213) in a tenement of land between the land of —— and land of John Mudy on S.: Done (11 a.m.) 17 July 1486: Witnesses, Thos. Neisch, Stephan Lausone, John —— and Sir Wm. Scleich priest N.P., and John Hugg(owne) Rob. Aytoun, notary. (*H.*)

Parchment badly torn, parts missing and parts illegible.

217. 6th Aug. 1486. Instrument of Sasine by John Hay of Zestir to John Dykesoune and Cristian his sponse of the third part of the lands of Wxtoune, inhabited by Wm. Quhyntyn and Richard Quhyntyn, under Redemption in terms of the charter and letter of obligation: Done at Wxtoun 9 a.m. 6 Aug. 1486: Witnesses, Wm. Newtoun of that Ilk, Wm. Dalrumpill, Jas. Sinclare, Thos. Hay, Rob. Mennaris, Thos. Mandirstoune, Nicholas Quhyntyn, and John Arnald: Rob. Aytoun, priest S. And. dio., N.P. I. and R.a. (*H.*)

218. 14th Dec. 1486. Instrument of Sasine by John Boncle, baillie of Edinburgh, on the resignation by Wm. Anderson of an annualrent of 40s. from his land, between the land of um. Thos. Ednaham on S and the House of um. Pat. de Balbyrny on the N, lying in the west part of the tenement of said P. de B. within the burgh of Edr., at the Netherbow thereof, and on the S. side of the King's street, between the land of um. Alex. Turnyng and John Redpeth on E, and land of Alex. Fothringhame on W, in favour of his two sons, one half to Laurence and the heirs of his body whom failing to his brother William etc., and the other half to the said William etc. whom failing to Laurence etc., all whom failing to the heirs of William senior. Reserving the right to William senior of selling the said annualrent if necessary: Done 10 a.m., 14 Dec. 1486. Witnesses, John Tuedy: Wm. Farnly, clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of Boncle appended, perfect.

219. 22nd March 1486/7. Precept by Elizabeth Cunyghame Lady of Beltoune and spouse of John Hay of Zestir, direct to Richard Byssat her bailie with consent of her said spouse, for infefting Sir John Lumysden chaplain, in her two mills of Beltoune and the residue of an annual-rent of her lands of Beltoun to the value of £10 yearly. At Zestir 22nd March 1486. (*M.*)

Seal gone.

220. 24th March 1486/7. Charter by Elizabeth Cunyngahame, wife of John Hay of Zestir, with his consent, to her second-born (*sic*) son John Hay of all her lands of Beltoune and Gilpallet in the earldom of March, barony of Dunbar, and constab. of Haddington within the shire of Edr., Reserving the life-

rent to herself and her husband: Edinburgh, 24 March 1486: Witnesses, Mr. Andrew Hay Provost of Bothanis, Thomas Hay first-born son of the said lord of Zestir her spouse, James Synclar, Wm. Hay, John Murray of Blakbaronry, Wm. Hay of Menzene, Wm. Dalrimpill, and Thos. Cunyngahame. (*H.*)

Seals of Eliz. C. and John Hay, who still uses the seal he had as fear of Zester, appended, in fair condition.

221. 24th March 1486/7. Instrument at the instance of John Hay junior, by three Notaries, narrating that a noble lady Elizabeth Cunyngahame, spouse of John Hay of Zestir, compeared before Mr. Wm. Foular, canon of Dunkeld, Commissary of the Official of S. Andrews in the Archdeaconry of Lothian, and swore upon the Holy Evangels, her husband being removed, that she had granted of her own free will her second (*sic*) son John Hay a charter of her lands of Belton and Gilpallet: Done in the court of said Commissary held in the Consistory House of the College Kirk of S. Giles Edinburgh, 11 a.m., 24 March, 1486: Witnesses, Rob. Charteris of Amysfeld, Masters and Sirs John Quhitlaw rector of Pennycuk, Wm. Halcarstoune, David Boyis, Rob. Craik, John Lokhert, John Wilsoune, chaplains and notaries public: Notaries, Geo. Newtoune, clerk Glasg. dio., N.P. I. and R.a., and clerk and tabellion of said court; James Young, clerk S. And. dio., N.P. I. and R.a.; and Peter Marche, clerk S. And. dio., N.P. I. and R.a. (*H.*)

Seal of office of the Official of Lothian appended, in good condition.

222. 24th March 1486/7. Instrument at the instance of Eliz. Cunyngahame, narrating that in presence of Mr. Wm. Foular, rector of Curre, Commissary of the Official of S. Andrews in the Archdeaconry of Lothian, sitting in judgement in the Consistory House of the College Kirk of S. Giles Edinburgh, there compeared an honourable lady Elizabeth Cunyngaham, spouse of John Hay of Zestir, holding in her hands a charter made by her in favour of her second (*sic*) son John Hay (No. 220) and gave it to the notary to copy and embody in the present instrument: Done 11 a.m., 24 March 1486: Witnesses, Rob. Charteris of Amisfeld, Edw. Creichtoun of Kirkpatrik, Masters John Quhitlaw, David Boyis, John Lokhart, Rob. Craik, Chaplains, Wm. Halcarstoune, Peter Marche, Geo. Newtoune, clerks, and Sir John Wilsoune, chaplain, notaries public: Jas. Zoung notary. (*H.*)

223. 26th March 1487. Precept of Sasine by Eliz. Cunyngaham, wife of John Hay of Zestir, to Richard Bissat, Thos. Cunyngaham, Andrew Lowis, and Jas. Sinclair, following on No. 220: Edinburgh, 26 March 1487. (*H.*)

Seals of E. C. and her husband appended as in No. 220.

224. 28th March 1487. Confirmation under the Great Seal by James III. of No. 220: Edinburgh, 28 March *1486* (should be 1487): Witnesses, Wm. Bishop of Aberdeen, Colin Earl of Ergile Lord Campbell and Lorne, and Chancellor; David Earl of Crawfurd Lord Lindesay, and Chamberlain; Andrew Lord Avanedale; Wm. Lord Borthwic, Master of the Household; John Lord Carlill; Masters David Levingstoune Rector of Are, Keeper of the Privy Seal; Archd. Quhitlaw Archdeacon of Lothian, Secretary; and Sir Alex. Scot Rector of Wigtoune, Clerk of Rolls and Register. (*H.*)

Great Seal appended three quarters whole, defaced. (Not in Reg. Mag. Sig.)

225. 6th April 1487. Instrument of Sasine following on No. 223 by Richard Bisat: Done at the instance of Edward Creychtoune, 10 a.m. at Belton 6 April 1487: Witnesses, Rob. Creychtoune, Cuthbert Creychtoune, And. Louss, John Quhippo, Duncan Huntter, Jas. Dischintoune, Geo. Smyth, and Sir Wm. Conyngham chaplain: John Hay notary. (*H.*)

226. 23rd Oct. 1487. Precept from Chancery direct to John Lord Hay of Yestir as baron of Lochorwort and superior of the lands under written for infefting Adam Wauchop as lawful and nearest heir of the late Gilbert Wauchop of Nudrymerscheall his father, procreated lawfully between him and the late Jonet Ker ; in the lands of Estir Caikmure with pertinents, lying in the barony of Locherwort and sheriffdom of Edinburgh ; To be held of the said baron in chief. At Edinburgh 23rd October 28th year of the Reign of King James III. 1487. (*M.*)

No seal.

226A. 29th Jany. 1487/8. In Parliamento Excellentissimi Principis Et Domini nostri Domini Jacobi Tertii Dei gracia Scotorum regis illustrissimi Tento et inchoato Apud Edinburgum—vicesimo nono die mensis Januarii Anno Domini Millesimo Quadringesimo octuagesimo Septimo Et regni prefati Serenissimi Domini Nostri regis Anno vicesimo octano Quo die Supremus Dominus noster Rex personaliter fuit cum Dominis prelatis comitibus baronibus liberetenentibus et burgorum commissariis subscriptis etc. Et eodem die Acta et statuta subscripta promulgata et perlecta fuerunt et per dictum Serenissimum Dominum Nostrum regem solemniter approbata et confirmata Dicto vicesimo nono die Joannes hay de Zester facta fuit Dominus Parliamenti Et in futurum nominandus Dominus hay de Zester Extractum de libro actorum Parliamenti permeDominum Joannem Skene de Curriehill militem clericum rotulorum Registri ac consilii Serenissimi Domini Nostri regis Sub meis signo et Subscriptione mannualibus. Joannes Skene, Cli Regri, etc.

No sign.

TRANSLATION.

In the Parliament of our most excellent Prince and Lord, James the Third, by the grace of God most illustrious King of Scots, held and convened in Edinburgh on the twenty-ninth day of the month of January in the year of (our) Lord, one thousand four hundred and eighty-seven, and of the reign of our foresaid most serene Lord the King the twenty-eight year ; On which day our supreme Lord the King was present with my lords the prelates, earls, barons, free tenants, and commissioners of the Burghs underwritten, etc. ; And on the same day the underwritten Acts and Statutes were promulgated and read, and solemnly approved and confirmed by our said most serene lord the King : On the said twenty-ninth day John Hay of Zester was made a Lord of Parliament, and in future to be called Lord Hay of Zester. Extracted from the book of Acts of Parliament by me, Sir John Skene of Curriehill, knight, Clerk of the Rolls, Register, and Council of our most serene lord the King, under my manual sign and signature.

Note.—This paper is put up with the Earl of Tweeddale's patent, and on the enclosing paper it is referred to as "the act of parliament mentioning John, Lord of Hay of Zesters being a lord of parliament in ye year 1486, extracted by Mr. John Skene, Clerk Register tho David his father was created Lord for which there is writts to evidence it tho it seems he hath not sitt in parliament.' (*H.*)

The family history written in 1687 says that Sir David Hay of Yester (father of John) was created 1st Lord Hay of Yester in 1439, but this is evidently wrong. As foregoing items show he is often called Dominus de Yester but never Dominus Hay de Yester, which is the style *after* the 1487 creation.

Sir John Skene was Clerk Register 1594 to 1604, and this extract was produced in 1606 before the Commissioners appointed by the King anent the precedency and priority of dignities. There was also produced ane instrument under the subscription of Alexander Clark nottar bearand that nobilis Dominus David de Hay miles Dominus de Yeaster recognosced two husband lands with a Coatland of the town and lands of Duncan Law because Edmond Hay, tennent of the saids lands sold the same without his consent, 8 Februarie 1448, Ja. 2.

227. 14th June 1488. Charter by John Caudill, burgess of Hadingtoune, in favor of Master Andrew Hay, provost of the Collegiate Kirk of Bothans, Sir Nicholas Hay, prebendary of the said Kirk and the other prebendaries thereof, of an annual-rent of forty shillings scots, furth of his tenement of land lying in the said burgh, on the north side of the market cross, between the land of the late William Young on the north and "le pentis" on the south, the land of Thomas Wawane of Stewinstoun on the west and the common vennel on the east parts, for a certain sum of money paid by the granters to him. Holding to them from the granter his heirs and assignees of the King in fee and heritage for ever. At Hadingtoun, 14th June 1488. Witnesses, Laurence Mauchlyn, Laurence Hog, John Wals, Stephen Lausoun, John Redpeth, burgesses, Sirs Thomas Bernis, Nicholas Bowmakare, William Lummysden and Alexander Kynwynny, chaplains, Robert Aytoun and William Sleich, notaries public and John Hugoun, serjeant. (*M. and H.*)

Seal gone. A note (translated) says: "Now, indeed, thirty sh., because we lost 10 sh. for the building of the whole tenement in 1520, then totally destroyed."

228. 8th Jan. 1488/9. Charter by Edmund Quhitlaw, burgess of Hadingtoune, in favour of Sir Nicholas Hay and other prebendaries of the Collegiate church of Bothanis, of an annual-rent of thirteen shillings four pence, furth of his tenement of land, with pertinents lying in the said burgh on the west part of "le *Sidgate*" between the land of the late Walter Aytoune on the north and the land of John Tod on the south part, in consideration of a sum of money paid to him by the said Sir Nicholas—Holding to the said Sir Nicholas and the other prebendaries and their successors, from the granter of the King, in fee and heritage for ever. At Hadingtoune, 8th January 1488. Witnesses, Sir John Yhoung, rector of Morhame, Sirs Nicholas Bowmaker, and Alexander Kylwynny, chaplains, Hugh Yhoung, Stephen Leirmonth, George Leirmonth his son, Alexander Con, John Broun, and "Signanter" Patrick Cokburn, one of the bailies of the said burgh, George Leirmonth and Sir Robert Aytoun, notaries public, George Hall and John Huggoun, serjeants. (*M.*)

Seal complete but device not decipherable.

228A. 4th Feb. 1488/9. William Hayis, Sasine of hayis quarter of Linplum as air to umquhile Sr. Wme. Hay, his father, daitit 4 Feb. 1488, under the note of Jon. Hay, preist. *No.* 42, 1617 *Linplum Inventory.* (*H.*)

229. 6 Feb. 1488/9. Charter by Sir Nicholas Haye prebendary of the Collegiate Kirk of Bothanis, of the diocese of St. Andrews, in the parts of Lothian, mortifying to Omnipotent God, the virgin Mary and all the Saints, for the welfare of the souls of James IV. King of Scots and his parents, ancestors and successors, and of John Lord Hay of Yestir and Elizabeth his spouse, their offspring, and the granter's father and mother, and of his own soul, and to one chaplain celebrating divine service at the altar of the Holy Cross in the said church, that his tenement of land lying in the burgh of Hadingtoune on the east part of the Sydgate, upon the King's Wall, between the land of Master William Patrick on the south, the land of John Lawdir on the north parts; and an annual-rent of thirteen shillings four pence due to him out of the tenement of Maurice Galbraithe lying in the said street of Sidgate on the west part thereof, between the land of James Crosare on the south and the land of Thomas Blak on the north parts: Also an annual rent of thirteen shillings four pence due to him out of the tenement of Edmund Quhitlaw lying in the said street on the west part of the same, between the land of John Tod on the south and the land of the late Walter Aytoun on the north parts: And also an annual-rent of thirteen shillings four pence due to him out of the tenement of John Broune lying on the west side of the foresaid street, between the land of the said Walter Aytoun on the south and the land of Henry Scot on the north parts;

and likewise an annual rent of forty shillings scots, due to him out of the tenement of John Caudele, lying in the said burgh on the north part of the Market Cross thereof, between "le pentys" on the south and the land of the late William Yhoung on the north parts; Together with that tenement of land of the late David Liell lying on Tyne in "le Nungate" between the land of Henry Mayne on the *north* (*sic*) and the land of John Hercas on the *north* (*sic*) parts: And an annual-rent of four merks due to him out of the lands of the late Thomas Newtoun lying in the west end of the town and territory of Newtoun, within the barony thereof: With the half part namely the north part of the yard commonly called "le be zard" lying in the town of Bothanis, which the said Lord of Yester gifted to the house of the said chaplain; with one acre of arable land "in le Awnay schot" within the lands of Gamylstoun and pasturage of one cow and of one calf so long as it shall be sucking the udder of the mother, and with "dieta focalium semel in anno" within the parts of Gamylstoune yearly when other "vicini sua focalia acquirunt." Holding to the said chaplain and his successors in pure free and perpetual alms. At Bothanis 6th February 1488: Witnesses, Sirs James Lempetlaw vicar of Makcarstoun, William Todrig, John Haye, John Trotare, John Yhoung, Alexander Kynwynnyn and John Liell chaplains, David Dalrimpill, William Dalrympill, James Sinclare, William Haye and Thomas Haye. (*M. and H.*)

Seal gone.

229A. 22nd March 1488/9. Ane instrument of Sasine of boydis quarter of the landis of linplum gevin be the lord Zestir to william hay sone to umquhile Sr. Williame hay of Tala knight daitit the 22 Marche 1488 under the note of Johne Hay preist. *No.* 37, 1617 *Linplum Inventory.* (*H.*)

229B. 7th April 1489. Ane chartour made To William hay sone and air to umquhile Schir Wm. hay be Johne lord hay of Zestir of boydis quarter of linplum 7 Aprile 1489. *No.* 43, 1617 *Linplum Inventory.* (*H.*)

230. 13th Mar. 1488/9. Precept from Chancery of King James III. direct to John Lord Hay of Yester, superior of the lands underwritten, following on Retour by the Sheriff of Edinburgh within the Constabulary of Haddington, for infefting Cristopher Hume as lawful and nearest heir of the late Gilbert Hume his grandfather, in one half carucate of land of Alexander Coc. lying in the territory of Baro in shire of Edinburgh and Constabulary of Haddington, by virtue of Dispensation from the King under his signet and subscription and endorsed by the Treasurer of date at Edinburgh 14th July in the 28th year of the King's reign dispensing to the said Cristopher to succeed to his said grandfather notwithstanding that the late Alexander Hume his father was convict to the death for certain treasonable crimes, committed by him; as if no crime had been committed against the King's Majesty; and also in another half carucate of land with toft and croft containing 2½ acres, by those divisions by which Adam Lumbard held the same, lying as above. And that he is now 17 years of age or thereby. To be held of the said superior. At Edinburgh 13th March 29th year of King's reign. 1488-9. (*M.*)

231. 31st March 1491. Precept from the King receiving Alexander Borthwik, Master Adam Borthuik, Master Alexander Borthuik, William Hay, James Sinclare and William Dalrumple, as attorney or attornies for Margaret Hay spouse of William Borthuik son and heir apparent of William Lord Borthuik, in all negotiations, speeches, suits and quarrels moved or to be moved by the said Margaret. At Edinburgh 31st March 3rd year of the Reign of King James IV. 1491. (*M.*)

No seal.

232. 18th Sept. 1492. Confirmation by Robert Archbishop of Glasgow of a Charter granted by William Murray of Mylkamestoun to his son John Murray, for help counsel and service rendered to his said father, of the half of the said lands of Mylkamestoun lying in the white (alba) barony within the sheriffdom of Peebles, Reserving the free tenement of the same to the granter during his lifetime. Holding to the said John and his heirs of the granter in fee and heritage for ever. Rendering one penny yearly on St. Mungo's day in name of blench ferme if asked. At the burgh of Peebles 18th September 1492. Witnesses, Alexander Murray, James Scot, Robert Crunzane and Sir Thomas of Craufurd notary public. Confirmation dated at Edinburgh the same day and year, and 9 year of consecr. (*M.*)

The round seal of the Archbishop is appended, and is broken at top and slightly at foot.

233. 9th May 1494. Instrument on the protestation in the Court of Wm. Earl of Erroll, held by his baillie Edmund Haye, by Thos. Blak Baillie of John Lord Hay of Yester lord of Edmoir that nothing should be done in prejudice of his said lord of Edmoir: Done at Eroll *in monte curie Deputato debito et consueto*, 11 a.m. 9 May 1494: Witnesses, Mr. Henry Clerk, vicar of Abiravan N.P.; Sir John Symonis of Ross Chaplain, and chamberlain of the Earl of E.; Peter Haye lord of Leys; John Ramsay lord of More; Richard Kynman lord of ly hyll of Lorny; and John Cok serjeant: Robert Haye, priest S. And. dio., A.M., N.P. I.a. (*H.*)

234. 28th June 1494. Notarial Copy of No. 38 at the instance of John Lord Hay of Yhestir, baron of the barony of Olivercastell, and Sheriff of Peebles, who produced one half of the indenture bearing the common seal and the seal of the Abbot of Melrose, Sir Bernard Abbot of Melrose and Dean (Dompnus) John Hyrdmann cellarer admitting the other half was preserved in their monastery: Done in the College Kirk of S. Giles Edinburgh at the Altar of S. Salvator, 9 a.m., 28 June 1494: Witnesses, John Lord Kennedy, Wm. Cokburne son and heir of Alex. C. of Langtoune, Masters Andrew Oliphant, Jas. Akynhede, clerks of the diocese of S. Andrews, Alex. Boyde, John Montgumre, Edward Cokburne, Columba Dunbar, and Jas. Sinclare, esquires: Wm. Lang, priest S. And. dio., N.P. I. and R.a. (*H.*)

235. 14th July 1494. Instrument on the presentation and delivery by Sir Wm. Todryk, prebendary of the College Kirk of Bothanis and one of the executors of um. Sir Rob. de Morhame prebendary of the said Kirk, to the chaplains or prebendaries of the said Kirk assembled in chapter of the evidents of an annual rent of 10sh. from the lands of Thos. Todryk burgess of Haddington, lying on the west side of the King's street of the Sidgate of Haddington between the tenement of Mr. Wm. Patrick on the S. and the ten. of Alex. Johnson on the N. acquired by Mr. And. Hay Provost of the said Kirk, Sir Jas. Lempetlaw vicar of Macarstone, and the said Sir Wm. T. as executors: Done in the Choir of the said College Kirk, 9 a.m. 14 July 1494; Witnesses, Sirs Nicholas Hay, John Trotar, Adam Lempetlaw, Thos. Browne, and John Lyell curate, with Thos. Hay parish clerk: John Hay notary. (*H.*)

236. 14th July 1494. Retour of Gawin Cunnyghame as lawful and nearest heir of the late John Cunnyghame his father, in the forty shilling land of Cobillhawch, lying in the Lordship of Bonytoune and Sheriffdom of Lanark. Which lands are held in chief of the laird of Bonytoune in feuferme for payment of forty shillings and for services at the Mill and courts of the said Laird of Bonytoun, conform to Charter granted to the said deceased John Cunnyghame, and which lands had been in the hands of the superior for four years or thereby through the decease of the said John Cunnyghame and non entry of the lawful

heir ; The Inquest held at the Burgh of Lanark before Patrick Hammiltoune sheriff depute of Lanark 14th July 1494 by Alexander Mowatt of Stanhous, John Carmychaell of Medoflatt, Stephen Lokart of Cleghorne, Knight, Alexander Wer of Byrkwod, Roger Thuede, John Hammiltoune of Lathame, John Broune of Cultermanis, Alexander Lokart of Wikitshaw, Alexander Hammiltoune of Catcastall, Alexander Lekprewik of that Ilk, Patrick Mur of Annastoune, John Symontoune, John Punfra of Hynschelwode, Alan Hammiltoun in Owertoune and William Ynglis. (*M. and H.*)

The seal of one of the inquest, apparently that of P. H., remains, with tags of other six.

237. 3rd Oct. 1495. Instrument of Resignation by William Haye of Nethir Manzeane of the lands of Nether Menzeane in the barony of Olivercastell and sheriffdom of Peebles, in the hands of John Lord Hay of Yestir, sheriff of Peebles, baron of the barony of Olivercastell, and superior of the said lands. Which resignation the said Lord Hay received and gave state and possession of the said lands to William Haye his son, and the heirs male lawfully to be procreated of his body. Done in the old town of Peebles at the Mansion of the Archbishop of Glasgow 3rd October 1495. Witnesses, Friar Thomas Lowis, minister of the Church of the Holy Cross of Peebles, John Murra of Blakbarony, John Lowis, William Dayl, Gavin Lomysdane, Colin Dunbar, Archibald Dalrumpele and Ninian Derlyn-Thomas of Crawfurd is notary. (*M.*)

The seal appended is purely a Hay seal, *i.e.* three escutcheouns on the shield.

238. 6th Oct. 1495. Charter by John Hay, Lord of Yester, sheriff ot Peebles, and baron of the barony of Olivercastele and Ester Hopprew, to William Hay his son of the lands of Nether Menzeane, lying in the barony of Olivercastell and shire of Peebles on Resignation by William Hay "Consanginei nostri" our Kinsman. Holding the said lands to the said William Hay son of the granter and the heirs male lawfully to be procreated of his body, which failing to George Hay his brother german and the heirs male lawfully to be procreated of his body, which all failing to revert to the granter and his lawful and nearest heirs whatsoever, of the said Lord of Yester in ward and relief in fee and heritage for ever. Rendering three suits of court and three pleas annually in the head court of the barony of Ester Hopprew. Reserving the said lands to the resigner in liferent and to Janet Lowis his spouse, a reasonable terce out of the same after his death. At the town of Neidpeith 6th October 1495. Witnesses, Friar Thomas Lowis minister of church of Holy Cross of Peebles, John Murra of Blackbarony, and others as to preceding writ. (*M.*)

Seal of granter in good condition.

239. 9th Nov. 1495. Instrument of Sasine following on Precept from Chancery directed to John Hepburn sheriff depute of the Constabulary of Hadyngtone, for infefting Andrew Bertrahame of Southwod, in two acres of land of the late Walter Bertrahame, lying in the said Constabulary on the north part near Hadyngtone between the land of John Aytone on the west and the land of Walter Cokburn on the east. Dated 9th November 1496. Witnesses Robert Cokburn, Walter Thomsone, Hugh Man burgesses of Hadyngtone, Robert Fortoune indweller in the town of Barnis, William Yowng serjeant, Patrick Lawsone is attorney for said Andrew Bertrahame and Henry Lawsone is notary. (*M.*)

239A. 6th Aug. 1496. Ane chartor grantit be thomas tod burges of hadingtoun quherin he dispones to sir thomas Zoung provest of the colledge kirk of bothanes and to the prebendaris and chaplaines of the same kirk and cheiflie to the executoris of sir thomas lempetlaw vicar of mckarstoun ane annualrent of six shillingis aucht penneyes (& that certain soumes of money

delyverit to him be them) to be upliftit out of his tenement of Land in hadingtoun neir the tolbuith thereof to be haldin of the king wt claus of warrandice daittit at hadingtoun 6 aug. 1496 (not subt. nor seillit).

Ane instrument of seasing (be way of resignatioun) gevin *propriis manibus* be the sd. thomas tod to sir patrik lermonth vicar of bothanes adam lympetlaw and jon troter prebendaris of bothanis and to sir thomas Zoung proveist of bothanis and to alexr. lympetlaw and the sd. adam executoris of the sd. sir thomas lympetlaw noter therto jon hay of the dait 6 august 1496.

Ane act (?) of ratificatione of the alienatione of the annualrent abonenwritten in presens of patrik cocburne ballie of hadingtoun of the dait at hadingtoun of the seasing abonewritten noter therto the sd. ion hay. *Nos.* 2, 3, *and* 4 *of Inventory of Edmond Altar Writs.* (*H.*)

240. 1st Feb. 1496/7. Charter by Robert Lauder of Bass and Lord of Auldkathi to Robert Lauder his eldest son and Ysobella Hay his spouse, and the survivor of them, and the heirs male to be procreated of their bodies, of the lands of Auldkathi lying in the barony of Kynnele and sheriffdom of Lithkew ; Holding to the said Robert younger, and his foresaids, which failing reverting to the granter and his nearest heirs whatsoever, of the granter and his heirs in fee and heritage for ever : Rendering therefore one penny scots on the ground of the said lands at the feast of St. John the Baptist, in name of blench ferm if asked. Reserving to the granter the donation of the Kirk of Auldkathi, and one house in which John Young now dwells. At Beill 1st February 1496. Witnesses, William Hay of Menzen, William Hay of Tallo, Hugh of Dunbar, Gavin Lumisdane, Thomas Wod, James Sinclar and Peter Wod. (*M.*)

Seal of granter in fair condition.

241. 8th June 1498. Charter of Confirmation under the Great Seal by James IV. to John Craik, burgess of Peebles, of 3 acres of land in the sheriffdom of Peebles at the east end of the burgh of Peebles on the North side of the King's highway between the land of John Lawsone on W., land of John Loth on E., and the hill of Venlaw on N., and also the Office of Serjeant, commonly called "Kingis Seriand," in the said sheriffdom, which pertained in heritage to Joneta Broun, spouse of Richard Derlyn, and resigned in the king's hands at Edr. by said Janet : To be held by the said J.C. and his heirs in fee and heritage: Edinburgh, 8 June 1498 : Witnesses, Wm. Bishop of Aberdeen Keeper of the Privy Seal, George Earl of Huntle Lord Badzenach Chancellor, Archd. Earl of Ergile Lord Campbel and Lorne Master of the Household, Patrick Earl of Boithvile Lord Halis, Alex. Lord Hume Great Chamberlain, John Lord Drummond Justiciar, Rob. Lundy of Balgony knt., Treasurer, and the king's clerks, Masters Richard Murhede Dean of Glasgow Secretary and Walter Drummond Dean of Dunblane Clerk of Rolls, Register and Council. (*H.*)

Great Seal appended entire, shewing marks of the four pins, but defaced. (*Cf.* Reg. Mag. Sig. II. 2418.)

242. 6th Nov. 1498. Instrument of Sasine by Gilbert Vilzamsoun, Sheriff "in hac parte" for James IV. to John Crake of the 3 acres and office mentioned in No. 241 by delivery of earth and stone and delivery of the wand or baton into his hands on his swearing to do his office faithfully and truly : Done at the south end of the said lands, 11 a.m., 6 Nov. 1498 : Witnesses, Sir John Hay of Snaid knt. Sheriff depute of Peebles, John Cokburne, Walter Balcasky, Wal. Patersoun, John Lokart, Sir And. Tait, and Ninian Darlyne, king's serjeant of said Sheriffdom: Thos. de Crawfurd, priest Glasg. dio., N.P. I. and R.a. (*H.*)

243. 4th Feb. 1499/1500. Retour of Inquest held at Giffergait 4th February 1499 in full court by Thomas Hay bailie to wit Martin Matland, Adam Braidwod,

Patrick Dow, John Saidlar, William River, John Portar, George Lyll, David Lyll, William Lyll Dayll, Archibald Dawrumpill, William Dawrumpill, Patrick Ogyll and James Sudderland; finding that John Brown is nearest and lawful heir of the late Thomas Forsythe his uncle (avunculi) in six rudis of land lying in Giffergait contiguous to "le rudcroft," which land was valued at 40s. in time of peace. Holding of Lord Hay of Yester by service of burgh of barony for payment of 6 pennies for the rud money rents. (Torn.) (*M.*)

243A. 4th Feb. 1499/1500. Instrument of seasing proceeding upon a precept of Clare Constat grantit be my Lo. Zester to Jhon broun of Coalesoun as air to thomas forsyth his "eme" of 6 rudis of land Lyand on the east syde of giffertis gate betuixt the landis of the rude of hadingtoun on the north and candles orchart quhilk sensyne is transferred be Jhon Schinmerg noter publick of the dait the 4 Februare anno 1499 forth of the protucoll of patrick lausoun noter publick anno 1525. (*H.*)

No. 3 of a minute of vassalis writes of some landis about hadington (17th century).

244. c. 1500. Contemporary paper copy of a Reversion, in vernacular, by James Duncanlaw, youngest son of Wm. Duncanlaw, To his eldest brother Andro of two cotlands in the town of Duncanlaw resigned by the said Wm. D. to John Lord Hay of Zester, the superior, in favour of the said Jas. D., For payment of 41 marks 6sh. and 8d. upon the Hie Alter of Sanct Mongo kyrk callit Barro after 40 days warning given on a haliday in tym of the hie mess. (*H.*)

245. c. 1500. Rollis of the heid court of peblis.

The lorde of lyne and hopprew.
Ye lorde flemyng for ye halff of kyngildorris.
Ye lorde flemyng for owyrmonethe.
Ye larde of drummallzore.
[1] portwss for ye his (*sic*) part of ye Rarquene.
[2] Thome dekesone for his part of ye Rachaine.[3]
George of geddass for his part of ye Rachane.
Thome [4] of geddass for his part of ye Rachane.
Johnne [5] portwss for his part of ye quhitslade.
Patrik gylleyss for his part of ye quhitslade.
Thome henrysone [6]
Marione dikesone } for ye qukytslade.
Cristianne Inglis
Ye larde of stallouss (*sic*) for ye half of brochtone.
[7] —— Hawdanne for his part of brochtone.
The larde of kirkhorde.
Ye larde of Rowmanok.
Ye larde of denewestyr.
Wilzam of stewarttowne for his part of ye samyn.
Ye larde of owrislande.
Ye larde of styrkfeyld.
Wilzam lawdyr for ye est syde of Kydstone and wormestone.
Wilzam lawdyr for ye west syde of ye samyne.
Ye larde of hawmyr.
Ye lard of fowleche.
Ye larde borthwchk for hormyston westyr.
Ye larde of ye mainyss of swynnope.
Ye larde of horsbrowk.
Ye thre lardis of prowoshill.
Gilbart kokburne for his part of ye glene.
Tome myddylmest for his part of ye glene.

Jonet murray for hir part of ye glene.
Ye larde of cardronok.
Ye larde of drummalzor for hopkellov Westyr.
Ye twa lardis of bonytoune.
Ye larde of hundalishoyp.
Wilzame of pebliss for crukstoune.
The larde of menar.
Ye larde of posso.
Ye larde of hendyrlande.
Wilzame sandwlandyss[8] } for yar part of bolde.
Ector Cranstoune. }
Ye larde of glenkyrk. (*It is uncertain whether he is included in bracket—for bolde.*)
W(at ?) Car for his part of ye bolde.

A line is left blank, or has worn blank.

The larde of ——. *This item is crossed out and the parchment has been cut off (leaving signs of another line), and stitched to another parchment, three lines of which are partly hidden. It also appears to have been cut off from more writing. These three lines are :—*

Wil of gedass for m——
Ye larde off ——
Ye larde off cardonok for hostlarland.

The thre hed courtis.

The larde of olyfercastal.
Ye larde of langlande hill.
Ye larde of skyrlyne.
Ye larde of Bogende.
Ye larde of blakborony.
Thome wilsoune for his part of Stewarttoune.
Ye larde of denwestyr.
Ye larde of Romanok for his part of curop.
—— [9] Greg for his part of curop.[10]
Ye larde of kyngislande.
Ye larde of venkstoune and boralfeld.
Ye larde of gledstaniss for malwynisland.
Ye larde of horsbrok hocconsfelde.
Ye larde of mennar for z corskonyfelde ande catcorssoune.
Ye ladeis of ye half of corskonyfelde & catcorstoune.
Ye ladeis of ye sueitsyde.
Ye larde of erltis orchart.
Ye larde off grostoune.
Ye larde of prene.
Ye larde of henderstoune & nobye.
Ye larde of gledstanyss for rodgrewetoun.
Ye larde of dawyk.

Two lines are left blank followed by this heading :—

Ane Hedf Court.

Ye larde of corrislande.
Andro ye hay for his part off stewarttoune.
Ye larde of estyr aconfelde.
James[11] off sandwlandis for his part of bolde.
Ye larde of ——.
Ye larde of gledstanyss for westyr aconfelde.
Will of geddass for mede aconfelde.

Ye larde of wat caill.
Ye larde off Cardronok for hostlarlande. (*H.*)

Notes.—[1] Left blank, Wilzam added later. [2] Thome scored out and Jhone substituted. [3] Sym crek added later. [4] Thome scored out and Jhon substituted. [5] Vilzam substituted later for Johnne. [6] Thome henrysone scored out and James of cokburn substituted. [7] Left blank and Wilzam added later. [8] "Ilk ane of yaim ane fut" added later. [9] Left blank and Johnne added later. [10] Wm. doby added later. [11] James scored out and Jhone substituted.

246. 1st April 1500. Charter by Robert Cunnyngame, baron of Polmaiss Cunnyngame, son and heir of Sir Alex. Cunnyngame of Polmaiss knt., and superior of the third part of the lands of Glen in Peeblesshire and united to the said barony, with consent of his father. To Mertin Balcasky, burgess and baillie of Peebles, and Cristina Mordostoun his spouse, of a markland in the said lands of Glen, viz., in Eschellis, Farnehalch, Spittal haulgh, and Fluris resigned by the said M.B. for conjunct infeftment to himself and his wife: Edinburgh, 1 April 1500: Witnesses, Valter Sellar, Valter Slytht, John Lowis, Alex. Murra, Alex. Cunnyngham, and Thos. Haswell. (*H.*)

Seals of Rob. and Sir Alex. Cunnyngame appended in fair condition.

247. 10th June 1500. Notarial instrument on the appeal by John Lord Hay of Yester, to the Pope Alexander VI., and his See, anent a process as to matters of dispute between the appellant, and Sir Robert Lauder, Knight of the Bass, and the sentence therein delivered by Mr. David Meldrum official principal of St. Andrews, craving the protection and diffinitive sentence of the papal See from the grievous and hurtful sentence aforesaid. Done at Haddington on 10th June 1500. Witnesses, John Carnour, Martin Matland and Laurence Dikisone, Patrick Lauson is notary. (*M.*)

247A. 28th July 1500. Item ane Instrument upoun the resignatioun made be Wm. frasser of fruid of the landis thairof in the Lord Zesteris handis In favour of William frasser and his airis daittit 28 of Julii 1500, under the signe and subscriptioun of Thomas Craufurd nottar.

247B. Item ane chartour grantit be Johne Lord Hay of Zester to William frasser of fruid of the Landis thairof with the pertinentis to be haldin of him and his airis as comeand In his handis be resignatioun of the said William for payment of ane pair of blak spuris upon the day of the nativitie of St. Johne the baptist in naine of blensche, daitit 28 Julij 1500.

247C. Item ane precept of Seasing direct according to the foresaid chartour of the dait thairof sealed.

247D. Item ane Instrument of Seasing gevin conforme to the said chartour and precept of Seasing daitit and sealled 6 August 1500 under the signe and subscriptioun of Thomas Craufuird notar. *Nos.* 3, 4 *and* 5, 1632 *Drumelzier and Frude Inventory.* (*Cf.* "Charter Chest of the Earldom of Wigtown," No. 444). (*H.*)

248. 15th June 1501. Charter by James Bassindane, burgess of Edinburgh, to David Forus, burgess of Haddington, of his land in the burgh of Haddington on the N. of the Gryp thereof between the land of Rycard Quhitlaw on E. and land of Wm. Kerryntoune on W.: Paying yearly the usual burghal firm to the King and 10 sh. to the Altar of S. Edmund in the College Kirk of Bothanis: Haddington, 15 June 1501: Witnesses, Adam Cokburne, Mr. Thos. Borthyk,

and Laurence Flemyne, baillies of Haddington, Alex. Crumby, Henry Congiltoune, Wm. Loudoune, Wm. Schurtus, Wm. Selkryk, John Lemman, Wm. Smytht, Morice Caubratht, and Rob. Mawthtlyn, serjeants. (*H.*)

Seal appended in good condition.

249. 17th July 1501. Decreet arbitral, in vernacular, by Patrick Home of Fastcastelle, Rob. Charteris of Amysfelde, and David Cunynghame, canon and Official of Glasgow Arbiters between Sir Baldred Blacadir knt., pursuer, and John Lord Hay and his son Sir John Hay of the Snaide knt., defenders, decerning Blacadir to assign the Ward of the lands of Vest Bernis, Fifeshire, and Snaide, Drumfriesshire, with the marriage of John Cunynghame, granted him by King James the Third, to Sir John Hay on payment of 600 marks to him by Lord Hay and Sir John Hay : At Edinburgh, 17 July 1501 : Witnesses, Rob. Douglas of Louchlevin ; Alex. Kirkpatrik of Kirkmichaelle ; and Mr. Richard Gibsoun, N.P. Signed. (Paper). (*H.*)

249A. 29th Oct. 1501. Decreet of Transumpt by way of Instrument by Wm. Wawane, Licentiate in Laws, Canon of Aberdeen, Official of S. Andrews in the Archdeaconry of Lothian, of No. 56, at the instance of John Sinclair of Hirdmanstoune and presented by his procurator, Mr. Mat. Ker : Done in the Court of the said Official held in the Consistory House of S. Giles' Kirk, Edinburgh, 11 a.m., 29 Oct. 1501 : Witnesses, Alex. Lauder, burgess of Edr. ; Mr. Clement Currour ; Sir Andrew Quhit ; Jasper Mayne ; and Adam Hoppar ; Geo. Newtoune, clerk to the said court, N.P. I. and R.a. (*H.*)

Seal of the Official appended in fair condition. An endorsation bears that it was produced by John Sempill, writer, and recorded in the Books of Exchequer 15th March 1656.

250. 8th November 1501. Retour of Inquest held at Hadington 8th November 1501 in the Sheriff Court, before John Broun of Colstoune, Sheriff depute of Edinburgh, in the constabulary of Hadington, by John Hepburn of Rollandstone, George Lyll of Stanepeth, John Quhitlaw of that Ilk, Patrik Hepburn, Thomas Borthyk, George Cokburn, Archibald Douglas, Gilbert Home, Andrew Lowis, William Daurumpil, William Daill, James Hepburn, and John Waus ; of Thomas Hay as lawful and nearest heir of the late Sir Nicholas Hay Chaplain, his uncle (patruus) in an annual-rent of 4 merks, furth of the lands of John Newtoune lying in the west end of the town of Newton in the barony of Newton Constabulary of Hadington and Sheriffdom of Edinburgh, Held in chief of said John Newtoune as superior, having been in his hands since the death of said Sir Nicholas 3 years last past. Expede at Haddington 1501. (*M.*)

The seals of five of the inquest are appended, and are more or less complete.

251. 3rd December 1501. Bond of Manrent by Thomas Dikesoun of Ormestoun and his heirs to John Hay of the Snaid, Knycht, Sheriff Depute of Peebles, and his heirs, to render leal and thankful service in their bodies and goods, etc., for ever. Dated at Peebles 3rd December 1501. Witnesses Gilbert Williamson, John Dikesoun, William Lowis, John Dunbar, Patrik Dikesoun and Sir Thomas of Crawfurd notary public. (*M.*)

Seal of the granter in good condition is appended ; signed "thomas dikeson of ormyston."

251A. 25th Jany. 1501/2. Item ane chartor be Ja. bassindean burges of edinburgh disponeing to david furrous burges of hadingtoun that tenement of Land Lyand in the brough upoun the northsyd of the gryr thereof Boundit to be haldin of the king burgadge and Peying to St. edmund his alter 10s. money yeirlie 25 Jany. 1501. sealed not subt. *No.* 13. *Bothans Provostry*, 1660 *Inventory*. (*H.*)

252. 27th Janry. 1501/2. Charter by John Lord Hay of Zester, Sheriff of Peebles, and baron of Oliveriscastel To Gavin Vaich, son of Wm. Vaich of Kingsyd, of his half of the lands of Glenrusco in the barony of Oliveriscastel, resigned in favour of the said Gavin by the said Wm. Vaich, who had bought them for £40 from um. Sir David Hay of Zester, knt., the granter's father: Paying yearly 20 pence in name of blanche-firm if asked: Under Reversion for £40 to be paid by the said Lord Hay or his heirs on the High Altar of the Kirk of Dawik: At our town of Nedpeith, 27 Jan. 1501: Witnesses, Wm. Cokburne of Henderland, Wm. Hay of Tallo, Ninian Patersoun of Caverhil, Jas. Singcler, Symon Geddas, and John Quhippow. (*H.*)

Seal appended, slightly defaced. (*Cf.* A.D.C., vol. xix., fol. 304.)

253. 3rd Feb. 1501/2. Reversion by Gavin Vaich, son and heir of Wm. Vaich of Kingsyd, following on No. 252, Glenrusco, 3 Feb. 1501: Witnesses, Bernard Vaich, son and heir of Alex. V. of Dawik, Ninian Patersoun of Caverhil, John Geddes, and John Thomesoun. (*H.*)

Seal appended in good condition.

254. 6th April 1502. Bond of Manrent by Walter Hunter of Polmod, binding himself in Manrent and service to John Lord Hay of Zester Baron of Olivercastel, his overlord of the lands of Polmod. Dated at Peblis 6th April 1502. Witnesses, Master Hew Giffart, David Welch, Wilzame Hunter and Schir Thomas of Crawfurd public notar. (*M.*)

Seal gone.

255. 26th April 1502. Contemporary Paper Copy of an Instrument of Sasine by John Atchinlek following on and narrating a Precept of Sasine by John Lord Hay of Zester, Sheriff of Peebles, baron of Olivercastell, and superior of the lands of Polmude, to Sir John Hay of Snaid, knt., Wm. Hay of Tallo, Chas. Geddes of Rauchane, John Dunbare, and John Atchinlek for Walter Huntare of Polmude, who had resigned them for new infeftment, of the said lands of Polmude in the barony of Olivercastell, dated Nedpeth, 28 Janry. (1500-1), witnesses, Jas. Sinclare, Gavin Lummisdaill, Thos. Brewhous, Stephan Craik, Sir John Lummisdaill, and John Hay: Sasine given in the Hall of the head messuage of Polmude, 11 a.m., 26 April 1502: Witnesses, John Patersoune, Allan Hendersoune, Geo. Patersoune, Jas. Stuill, and Thos. Balkelky.

Signed Et ego thomas craufurd presens suprascriptum instrumentum confeci. (*H.*)

256. 9th May 1502. Instrument narrating that Thomas Hay heir of the late Schir Nicholas Hay his uncle, passed to the principal mansion of John Newtoune and there presented a Precept of the King requiring Sasine of an annual-rent of 4 merks and that none compeared to respond. Dated 9th May 1502. Witnesses, Robert Trotare and Thomas Hay son of Stephen Hay. Thomas Hoy is Notary. (*M.*)

257. 27th May 1502. Crown Precept by King James IV. directed to John Newtoun superior of the annual-rent underwritten, for infefting Thomas Hay as lawful and nearest heir of the late Sir Nicholas Hay, chaplain, his uncle, in an annual-rent of four merks furth of the town of Newtoun, in the Constabulary of Haddingtoun and shire of Edinburgh. At Edinburgh 27th May in the 14th year of the King's reign (1502). (Tag). (*M. and H.*)

258. 10th June 1502. Charter by John Lord Hay of Yhestir to Jas. Lempatlaw, son and heir of Alex. L., of a piece of land in the town and territory of Bothanis and also two acres in the town and territory of Gamylstoune, which

once belonged to a man called Cosour, and a rig of land in G., all which had been granted by Sir David Hay knight, of good memory, the granter's father, to the said um. Alex. L. : To be held in feefirme for 20sh. yearly : Yhestir, 10 June 1502 : Witnesses, John Hay of Snayde, Geo. Hay, the granter's sons ; Wm. Hay of Tallo ; Wm. Cokburn of Innyrland ; Wm. Olyfant of Kelle ; Sirs Wm. Todryk ; John Trottar ; Adam Lempatlaw, chaplains ; John Hay ; and Stephen Crake. (*H.*)

Seal of the granter appended, in good condition.

259. 10th June 1502. Instrument of Sasine given personally by John Lord Hay of Zester, following on No. 258 ; Done in the town of Bothanis, 11 a.m., 10 June 1502 : Witnesses, John Hay of Snayde, knt., Jas. Singlar, Sir Wm. Todryk, chaplain, Sir Pat. Lermonth, vicar of Bothanis, Sir Adam Lempatlaw, Sir Thos. Brown, chaplains, and Stephan Craik : Thos. Hoye, chaplain, S. And. dio., N.P. A.a. (*H.*)

Seal of Ld. H. of Z. appended in good condition.

260. 18th June 1502. Instrument of Sasine by Patrick Patersoun, burgess of Peebles, following on and narrating a Precept of Sasine following on No. 246, with the same date and witnesses : Done at a "Hedrig" of Fluris, 11 a.m., 18 June 1502 : Witnesses, Alex. Murra, Pat. Patersoun, ygr., and Wm. Sclatter : Thos. de Crawfurd, notary. (*H.*)

261. 29th Sept. 1502. Assignation, in vernacular, by Sir Baldred Blacadir knt., to John Lord Hay of Zestyr, Sir John Hay of Snaide knt., and John Hay, son and heir of Sir John Hay, of his Gift and grant of the Ward of West Bernyss and marriage of John Cunynghame, etc. (see No. 210) : At Glasgow, penult Sept. 1502 : Witnesses, Mr. Rolland Blakater, Mr. Archd. Craufurd, Adam Melwyn, Malcolm Wanne, and Rob. Steill. (*H.*)

Paper. Signed "Baldred Blakader," and seal impressed, much defaced.

262. 16th Dec. 1502. Instrument of Sasine by Wm. Carmychell, baillie of Edinburgh, To Rob. Carmychell, burgess and serjeant of the said burgh, and Mariota his wife, etc. on the resignation by Eliz. Makculloch and John Lausoun, her spouse, of her waste land containing 9½ ells in length, between the ditch of Wm. Schersmith on S., and the land built and waste of Margaret Cesfurde on N., and lying in the tenement of um. —— Fothringahame in the Netherbow of Edinburgh on the S. side of the High Street, between the tenement of um. And. Moubraa on W. and tenement of um. John Balbirny on E. : the said Elizabeth, her husband being absent, swearing on the Holy Evangels that she had not been forced to assent to the sale : Done 3 p.m., 16 Dec. 1502 : Witnesses, Wm. Sinclare, John Helis, Pat. Jaksone, John Grenlaw, John Redpeith, Alex. Freir, Wm. Johannisoune, Henry Strathauchyne, N.P., and John Huntare, serjeant of the said burgh : Jas. Monynet, clerk, S. And. dio., N.P .A.a. (*H.*)

263. 14th Janry. 1502/3. Procuratory, in vernacular, by Gilbert Makmulane to Masters James Henrisone, Henry Quhit, Wm. Aitkinsone, chaplains, and Sir John the Hay of the Snaid knt. to compear before the Lords of Council at Edinburgh or elsewhere on 24 Janry. next and pursue Wm. Vaich of Dawik, son, heir, and intromitter with the goods of um. Wm. Vaich of Dawik, to hear him decerned as such to pay to the said G. M. £48 owing him by the said um. Wm. V. as pledge and sourete for Bernard Vaich for 20 oxen and 4 ky taken from G. M. by the said B. V. : Auchintaggart, 14 Janry. 1502 : Witnesses, Thos. Folcart, Thos. Coltart, Malcolm Makkanis, and Gilbert Rogersone. (*H.*)

Paper. Seal of John of Crechtoun of Hartwod impressed (because G. M. had none), much broken.

1374

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